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THE
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THE

INSTITUTES OF HINDU LAW:

MENU.

BY

SIR WILLIAM JONES., KNIGHT.

ONE OF THE JUDGES OF HER MAJESTY'S LATE
SUPREME COURT, FORT WILLIAM, BENGAL
FOUNDER AND FIRST PRESIDENT OF
THE ASIATIC SOCIETY OF BENGAL.

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CHAPTER THE FIFTH.

On Diet, Purification, and Women.

1. 'THE sages, having heard those laws delivered for the conduct of housekeepers, thus addressed the highminded BHRĬGU, who proceeded *in a former birth* from the genius of fire.

2. 'How, Lord, can death prevail over *Bra'hmens*, who know the scriptural ordinances, and perform their duties, as they have been declared ?'

3. 'Then he, whose disposition was perfect virtue, even BHRĬGU, the son of MENU, thus answered the great *Rĭshis:* 'Hear, from what sin proceeds the inclination of death, to destroy the chief of the twice-born :

4. 'Through a neglect of reading the *Vé'da*, through a desertion of approved usages, through supine remissness *in performing holy rites*, and through various offences in diet, *the genius of* death becomes eager to destroy them.'

5. 'Garlick, onions, leeks, and mushrooms (which no twice-born man must eat), and all vegetables raised in dung,

6. 'Red gums or resins, exuding from trees, and juices from wounded stems, the fruit *sé'lu*, and the thickened milk of a

cow within ten days after her calving, a priest must avoid with great care.

7. 'Ricepudding boiled with *tila*, frumenty, ricemilk, and baked bread, which have not been first offered to some deity, fleshmeat also, the food of gods, and clarified butter, which have not first been touched, while holy texts were recited,

8. 'Fresh milk from a cow, whose ten days are not passed, the milk of a camel, or any quadruped with a hoof not cloven, that of an ewe, and that of a cow in heat, or whose calf is dead or absent from her,

9. 'That of any forest beast, except the buffalo, the milk of a woman, and any thing naturally sweet but acidulated, must all be carefully shunned:

10. 'But among such acids, buttermilk may be swallowed, and every preparation of buttermilk, and all acids extracted from pure flowers, roots, or fruit *not cut with iron*.

11. 'Let every twice-born man avoid carnivorous birds, and such as live in towns, and quadrupeds with uncloven hoofs, except those allowed by the *Ve'da*, and the bird called *tittibha*;

12. 'The sparrow, the water bird *plava*, the phenicopteros, the *chacrava'ca*, the breed of the towncock, the *sa'rasa*, the *rajjuva'la*, the woodpecker, and the parrot, male and female;

13. 'Birds, that strike with their beaks, webfooted birds, the *cóyashti*, those, who wound with strong talons, and those, who dive to devour fish: let him avoid meat kept at a slaughter house, and dried meat,

14. 'The heron, the raven, the *ch'anjana*, all amphibious

fisheaters, tame hogs, and fish of every sort, *but those expressly permitted.*

15. 'He, who eats the flesh of any animal, is called the eater of that animal itself; and a fisheater is an eater of all flesh; from fish, therefore, he must diligently abstain :

16. 'Yet the two fish, called *pat'hi'na* and *ro'hita,* may be eaten *by the guests,* when offered at a repast in honour of the gods or the manes; and so may the *ra'ji'va,* the *sinhatunda,* and the *sas'alca* of every species.

17. 'Let him not eat the flesh of any solitary animals, nor of unknown beasts or birds, though by general words declared eatable, nor of any creature with five claws ;

18. 'The hedgehog and porcupine, the lizard *go'dha',* the *gandaca,* the tortoise, and the rabbit *or hare,* wise legislators declare lawful food among fivetoed animals; and all quadrupeds, camels excepted, which have but one row of teeth.

19. 'The twiceborn man, who has intentionally eaten a mushroom, the flesh of a tame hog, or a town cock, a leek, or an onion, or garlick, is degraded immediately ;

20. 'But having undesignedly tasted either of those six things, he must perform the penance *sa'ntapana,* or the *cha'nd-ra'yana,* which anchorets, practise: for other things he must fast a whole day.

21. 'One of those harsh penances, called *pra'ja'patya,* the twiceborn man must perform annually, to purify him from the unknown taint of illicit food; but he must do paricular penance for such food intentionally eaten.

22. 'BEASTS and birds of excellent sorts may be slain by

Bra'hmens for sacrifice, or for the sustenance of those, whom they are bound to support; since AGASTYA did this of old.

23. 'No doubt, in the primeval sacrifices by holy men, and in oblations by those of the priestly and military tribes, the flesh of such beasts and birds, as may be legally eaten, was presented to the deities.

24. 'That, which may be eaten or drunk, *when fresh*, without blame, may be swallowed, if touched with oil, though it has been kept a whole night; and so may the remains of clarified butter:

25. 'And every mess prepared with barley or wheat, or with dressed milk, may be eaten by the twiceborn, although not sprinkled with oil.

26. 'Thus has the food, allowed or forbidden to a twiceborn man, been comprehensively mentioned: I will now propound the *special* rules for eating and for avoiding flesh meat.

27. 'He should taste meat, which has been hallowed for a sacrifice with appropriated texts, and, *once only*, when a priest shall desire him, and when he is performing a legal act, or in danger of losing life.

28. 'For the sustenance of the vital spirit, BRAHMA' created all this *animal and vegetable system*; and all, that is moveable or immoveable, that spirit devours.

29. 'Things fixed are eaten by creatures with locomotion; toothless animals, by animals with teeth; those without hands, by those to whom hands were given; and the timid, by the bold.

30. 'He, who eats *according to law*, commits no sin, even though every day he taste the flesh of such animals, as may

lawfully be tasted; since both animals, who may be eaten, and those, who eat them, were equally created by BRAHMA'.

31. 'It is delivered as a rule of the gods, that meat must be swallowed only for the purpose of sacrifice; but it is a rule of gigantick demons, that it may be swallowed for any other purpose.

32. 'No sin is committed by him, who, having honoured the deities and the manes, eats fleshmeat, which he has bought, or which he has himself acquired, or which has been given him by another:

33. 'Let no twiceborn man, who knows the law, and is not in urgent distress, eat flesh without observing this rule; for he, unable to save himself, will be devoured in the next world, by those animals, whose flesh he has thus illegally swallowed.

34. 'The sin of him, who kills deer for gain, is not so heinous, with respect to *the punishment in* another life, as that of him, who eats fleshmeat in vain, *or not previously offered as a sacrifice*:

35. 'But the man, who, engaged *in holy rites* according to law, refuses to eat it, shall sink in another world, for twenty-one births, to the state of a beast.

36. 'Never let a priest eat the flesh of cattle unhallowed with *mantras*, but let him eat it, observing the primeval rule, when it has been hallowed with those texts of the *Ve'da*.

37. 'Should he have an earnest desire to taste flesh meat, he may gratify his fancy by forming the image of some beast with clarified butter thickened, or he may form it with dough; but never let him indulge a wish to kill any beast in vain:

38. 'As many hairs as grow on the beast, so many similar

deaths shall the slayer of it, for his own satisfaction in this world, endure in the next from birth to birth.

39. 'By the selfexisting in person were beasts created for sacrifice; and the sacrifice *was ordained* for the increase of this universe: the slaughterer therefore, of beasts for sacrifice is in truth no slaughterer.

40. 'Gramineous plants, cattle, timbertrees, amphibious animals, and birds, which have been destroyed for the purpose of sacrifice, attain in the next world exalted births.

41. 'On a solemn offering to a guest, at a sacrifice, and in holy rites to the manes or to the gods, but on those occasions only, may cattle be slain: this law MENU enacted.

42. 'The twiceborn man, who, knowing the meaning and principles of the *Ve'da*, slays cattle on the occasions mentioned, conveys both himself and those cattle to the summit of beatitude.

43. 'Let no twiceborn man, whose mind is improved by learning, hurt animals without the sanction of scripture, even though in pressing distress, whether he live in his own house, or in that of his preceptor, or in a forest.

44. 'That hurt, which the scripture ordains, and which is done in this world of moveable and immoveable creatures, he must consider as no hurt at all; since law shone forth from *the light of* the scripture.

45. 'He, who injures animals, that are not injurious, from a wish to give himself pleasure, adds nothing to his own happiness, living or dead;

46. 'While he, who gives no creature willingly the pain of

confinement or death, but seeks the good of all *sentient beings*, enjoys bliss without end.

47. 'He, who injures no animated creature, shall attain without hardship whatever he thinks of, whatever he strives for, whatever he fixes his mind on.

48. 'Fleshmeat cannot be procured without injury to animals, and the slaughter of animals obstructs the path to beatitude; from fleshmeat, therfore, let man abstain:

49. 'Attentively considering the formation of bodies, and the death or confinement of embodied spirits, let him abstain from eating fleshmeat of any kind.

50. 'The man, who forsakes not the law, and eats not fleshmeat, like a bloodthirsty demon, shall attain good will in this world, and shall not be afflicted with maladies.

51. 'He, who consents to the death of an animal; he, who kills it; he, who dissects it; he, who buys it; he, who sells it; he, who dresses it; he, who serves it up; and he, who makes it his food; these are eight principals in the slaughter.

52. 'Not a mortal exists more sinful than he, who, without an oblation to the manes or the gods, desires to enlarge his own flesh with the flesh of another creature.

53. 'The man, who performs annually, for a hundred years, an *aswaméd́ha*, or *sacrifice of a horse*, and the man, who abstains from fleshmeat, enjoy for their virtue an equal reward.

54. 'By subsisting on pure fruit and on roots, and by eating such grains as are eaten by hermits, a man reaps not so high a reward, as by carefully abstaining from animal food.

55. "Me he *(mán sa)* will devour in the next world, whose flesh I eat in this life:" *thus should a flesheater speak, and* thus the learned pronounce the true derivation of the word *mánsa*, or flesh.

56. 'In lawfully tasting meat, in drinking fermented liquor, in caressing women, there is no turpitude; for to such enjoyments men are naturally prone; but a virtuous abstinence from them produces a signal compensation.

57. 'Now will I promulgate the rules of purification for the dead, and the modes of purifying inanimate things, as the law prescribes them for the four classes in due order.

58. 'When a child has teethed, and when, after teething, his head has been shorn, and when he has been girt with his thread, and when, being full grown, he dies, all his kindred are impure: on the birth of a child the law is the same.

59. 'By a dead body, the *sapindas* are rendered impure in law for ten days, or until *the fourth day, when* the bones have been gathered up, or for three days, or for one day only, *according to the qualities of the deceased*:

60. 'Now the relation of the *sapindas*, or men connected by the funeral cake, ceases with the seventh person, *or in the sixth degree of ascent or descent*; and that of *samánodacas*, or those connected by an equal oblation of water, ends only, when their births and familynames are no longer known.

61. 'As this impurity, by reason of a dead kinsman, is ordained for *sapindas*, even thus it is ordained on a childbirth, for those who seek absolute purity.

62. 'Uncleanness, on account of the dead, is ordained for all; but on the birth of a child, for the mother and father:

impurity, for ten days after the childbirth, affects the mother only; but the father, having bathed, becomes pure.

63. 'A man, having wasted his manhood, is purified by bathing; but, after begetting a child on a *parapúrvá*, he must meditate for three days on his impure state.

64. 'In one day and night, added to nights three times three, the *sapindas* are purified after touching the corpse; but the *samánódacas*, in three days.

65. 'A pupil in theology, having performed the ceremony of burning his deceased preceptor, becomes pure in ten nights: he is equal, in that case, to the *sapindas*, who carry out the dead.

66. 'In a number of nights, equal to the number of months from conception, a woman is purified on a miscarriage; and a woman in her courses is rendered pure by bathing, when her effusion of blood has quite stopped.

67. 'For deceased male children, whose heads have not been shorn, purity is legally obtained in one night; but for those, on whom that ceremony has been performed, a purification of three nights is required.

68. 'A dead child under the age of two years, let his kinsmen carry out having decked him *with flowers, and bury him* in pure ground, without collecting his bones *at a future time*:

69. 'Let no ceremony with fire be performed for him, nor that of sprinkling water; but his kindred, having left him like a piece of wood in the forest, shall be unclean for three days.

70. 'For a child under the age of three years, the ceremony with water shall not be performed by his kindred; but, if his

teeth be completely grown, or a name have been given him, they may perform it, or not, *at their option.*

71. 'A fellow student in theology being dead, three days of impurity are ordained; and, on the birth of a *samánódaca,* purification is required for three nights.

72. 'The relations of *betrothed but* unmarried damsels, are in three days made pure; and, in as many, are their paternal kinsmen purified *after their marriage:*

73. 'Let them eat vegetable food without factitious, *that is, only with native,* salt; let them bathe for three days at intervals; let them taste no fleshmeat; and let them sleep apart on the ground.

74. 'This rule, which ordains impurity by reason of the dead, relates to the case of one dying near his kinsmen; but, in the case of one dying at a distance, the following rule must be observed by those, who share the same cake, and by those, who share only the same water:

75. 'The man, who hears that a kinsman is dead in a distant country, becomes unclean, if ten days after the death have not passed, for the remainder of those ten days only;

76. 'But, if the ten days have elapsed, he is impure for three nights, and, if a year have expired, he is purified merely by touching water.

77. 'If, after the lapse of ten days, he know the death of a kinsman, or the birth of a male child, he must purify himself by bathing together with his clothes.

78. 'Should a child, whose teeth are not grown, or should a *samánódaca,* die in a distant region, the kinsman, having bathed with his apparel, becomes immediately pure.

79. 'If, during the ten days, another death or another birth intervene, a *Bra'hmen*, remains impure, only till those ten days have elapsed.

80. 'A spiritual teacher being dead, the sages declare his pupil impure for three days; but for a day and a night, if the son or wife of the teacher be deceased: such is the sacred ordinance.

81. 'For a reader of the whole *Ve'da*, who dwells in the same house, a man is unclean three nights; but for a maternal uncle, a pupil, an officiating priest, and a distant kinsman, only one night winged *with two days*.

82. 'On the death of a military king, in whose dominion he lives, *his impurity lasts* while the sun or the stars give light; but it *lasts* a whole day, on the death of a priest, who has not read the whole *Ve'da*, or of a spiritual guide, who has read only part of it, with its *Angas*.

83. 'A man of the sacerdotal class becomes pure in ten days; of the warlike, in twelve; of the commercial, in five; of the servile, in a month.

84. 'Let no man prolong the days of impurity; let him not intermit the ceremonies to be performed with holy fires: while he performs those rites, even though he be a *sapinda*, he is not impure.

85. 'He, who has touched a *Bhanda'la*, a woman in her courses, an outcast for deadly sin, a newborn child, a corpse, or one who has touched a corpse, is made pure by bathing.

86. 'If, having sprinkled his mouth with water, and been long intent on his devotion, he see an unclean person, let him repeat, as well as he is able, the solar texts of the *Ve'da*, and those, which confer purity.

87. 'Should a *Bra'hmen* touch a human bone moist with oil, he is purified by bathing; if it be not oily, by stroking a cow, or by looking at the sun, having sprinkled his mouth duly with water.

88. 'A student in theology shall not perform the ceremony of pouring water at obsequies, until he have completed his course of religious acts; but if, after the completion of them, he thus make an offering of water, he becomes pure in three nights.

89. 'For those, who discharge not their prescribed duties, for those, whose fathers were of a lower class than their mothers, for those, who wear a dress of religion unauthorized by the *Vé'dá*, and for those, who *illegally* kill themselves, the ceremony of giving funeral water is forbidden by law;

90. 'And for women imitating such hereticks, as wear an unlawful dress, and for such women as live at their own pleasure, or have caused an abortion, or have stricken their husbands, or have drunk any spirituous liquor.

91. 'A student violates not the rules of his order, by carrying out, when dead, his own instructor in the *Vé'das*, who invested him with his holy cord, or his teacher of particular chapters, or his reverened expounder of their meaning, or his father, or his mother.

92. 'Let men carry out a dead *Sú'dra* by the southern gate of the town; but the twiceborn, in due order, by the western, northern, and eastern gates.

93. 'No taint of impurity can light on kings or students in theology, *while employed in discharging their several duties*, nor on those who have actually begun a sacrifice; for the first are then placed on the seat of INDRA, and the others are always equally pure with the celestial spirit.

94. 'To a king, on the throne of magnanimity, the law ascribes instant purification, because his throne was raised for the protection of his people and the supply of their nourishment:

95. 'It is the same with *the kinsmen of* those, who die in battle, after the king has been slain, or have been killed by lighting, or legally by the king himself, or in defence of a cow, or of a priest; and with all those whom the king wishes to be pure.

96. 'The corporeal frame of a king is composed of particles from SO'MA, AGNI, SU'RYA, PAVANA, INDRA, CUVE'RA, VARUNA, and YAMA, the eight guardian deities of the world:

97. 'By those guardians of men in substance is the king pervaded, and he cannot by law be impure; since by those tutelar gods are the purity and impurity of mortals both caused and removed.

98. 'By a soldier, discharging the duties of his class, and slain in the field with brandished weapons, the highest sacrifice is, in that instant, complete; and so is his purification: this law is fixed.

99. 'A priest, having performed funeral rites, is purified by touching water; a soldier, by touching his horse or elephant, or his arms; a husbandman, by touching his goad, or the halter of his cattle; a servant, by touching his staff.

100. 'This mode of purifying *sapindas*, O chief of the twiceborn, has been fully declared to you! learn now the purification required on the death of kinsmen less intimately connected.

101. '*A Bra'hmen*, having carried out a dead *Bra'hmen*, though not a *sapinda*, with the affection of a kinsman, or any of

those nearly related to him by his mother, becomes pure in three days;

102. 'But, if he taste the food offered by their *sapindas*, he is purified in ten days; and in one day, if he neither partake of their food, nor dwell in the same house.

103. 'If he voluntarily follow a corpse, whether of a paternal kinsman or of another, and afterwards bathe with his apparel, he is made pure by touching fire and tasting clarified butter.

104. 'Let no kinsman, whilst any of his own class are at hand, cause a deceased *Bráhmen* to be carried out by a *Súdra*; since the funeral rite, polluted by the touch of a servile man, obstructs his passage to heaven.

105. 'Sacred learning, austere devotion, fire, holy aliment, earth, the mind, water, smearing with cowdung, air, prescribed acts of religion, the sun, and time, are purifiers of imbodied spirits;

106. 'But of all pure things, purity in acquiring wealth, is pronounced the most excellent: since he, who gains wealth with clean hands, is truly pure; not he, who is purified merely with earth and water.

107. 'By forgiveness of injuries, the learned are purified; by liberality, those who have neglected their duty; by pious meditation, those who have secret faults; by devout austerity, those who best know the *Véda*.

108. 'By water and earth is purified what ought to be made pure; a river, by its current; a woman, whose thoughts have been impure, by her monthly discharge, and the chief of twice-born men, by fixing his mind wholly on God.

109. 'Bodies are cleansed by water; the mind is purified

by truth ; the vital spirit, by theology and devotion ; the understanding, by clear knowledge.

110. ' Thus have you heard me declare the precise rules for purifying animal bodies : hear now the modes of restoring purity to various inanimate things.

111. ' Of brilliant metals, of gems, and of every thing made with stone, the purification, ordained by the wise, is with ashes, water, and earth.

112. ' A golden vessel, not smeared, is cleansed with water only; and every thing produced in water, *as coral, shells, or pearls,* and every stony substance, and a silver vessel not enchased.

113. ' From a junction of water and fire arose gold and silver ; and they two, therefore, are best purified by the elements, whence they sprang,

114. ' Vessels of copper, iron, brass, pewter, tin and lead may be fitly cleansed with ashes, with acids, or with water.

115. ' The purification ordained for all sorts of liquids, is by stirring them with *cus´a*-grass ; for cloths solded, by sprinkling them with hallowed water ; for wooden utensils, by planing them ;

116. ' For the sacrificial pots to hold clarified butter and juice of the moonplant, by rubbing them with the hand, and washing them, at the time of the sacrifice :

117. ' Implements to wash the rice, to contain the oblations, to cast them into the fire, to collect, winnow, and prepare the grain, must be purified with water made hot,

118. ' The purification by sprinkling is ordained for grain

and cloths in large quantities; but, to purify them in small parcels, *which a man may easily carry*, they must be washed.

119. 'Leathern utensils, and such as are made with cane, must generally be purified in the same manner with cloths; green vegetables, roots, and fruit, in the same manner with grain;

120. 'Silk and woolen stuff, with saline earths; blankets from *Népa'la*, with pounded *arishtas*, or *nimba* fruit; vests and long drawers, with the fruit of the *Bilva*; mantles of *cshuma'*, with white mustard-seeds.

121. 'Untensils made of shells or of horn, of bones or of ivory, must be cleansed by him, who knows the law, as mantles of *cshuma'* are purified, with the addition of cows' urine or of water.

122. 'Grass, firewood, and straw, are purified by sprinkling them with water; a house, by rubbing, brushing, and smearing with cowdung; an earthen pot, by a second burning:

123. 'But an earthen pot, which has been touched with any spirituous liquor, with urine, with ordure, with spittle, with pus, or with blood, cannot, even by another burning, be rendered pure.

124. 'Land is cleansed by five modes; by sweeping, by smearing with cowdung, by sprinkling with cows' urine, by scraping, or by letting a cow pass a day and a night on it.

125. 'A thing nibbled by a bird, smelt at by a cow, shaken with a foot, sneezed on, or defiled by lice, is purified by earth scattered over it.

126. 'As long as the scent or moisture, caused by any

impurity, remain on the thing soiled, so long must earth and water be repeatedly used in all purifications of things inanimate.

127. 'The Gods declared three pure things peculiar to *Bra'hmens*; what has been defiled without their knowledge, what, in cases of doubt, they sprinkle with water; and what they commend with their speech.

128. 'Waters are pure, as far as a cow goes to quench her thirst in them, if they flow over clean earth, and are sullied by no impurity, but have a good scent, colour, and taste.

129. 'The hand of an artist *employed in his art* is always pure; so is every vendible commodity, when exposed to sale; and that food is always clean, which a student in theology has begged and received: such is the sacred rule.

130. 'The mouth of a woman is constantly pure; a bird is pure on the fall of fruit, which he has pecked; a sucking animal, on the flowing of the milk; a dog, on his catching the deer:

131. 'The flesh of a wild beast slain by dogs, MENU pronounces pure; and that of an animal slain by other carnivorous creatures, or by men of the mixed class, who subsist by hunting.

132. 'All the cavities above the navel are pure, and all below it, unclean; so are all excretions, that fall from the body.

133. 'Gnats, clear drops from the mouth of a speaker, a shadow, a cow, a horse, sunbeams, dust, earth, air, and fire, must all be considered as clean, even when they touch an unclean thing.

134. 'For the cleansing of vessels, which have held ordure or urine, earth and water must be used, as long as they are

needful; and the same for cleansing the twelve corporeal impurities :

135. 'Oily exudations, seminal fluids, blood, dandruff, urine, feces, earwax, nailparings, phelgm, tears, concretions on the eyes, and sweat, are the twelve impurities of the human frame.

136. 'By the man, who desires purity, one piece of earth *together with water* must be used for the conduit of urine, three, for that of the feces; so, ten for one hand, *that is, the left*; then seven for both : *but, if necessary, more must be used.*

137. 'Such is the purification of married men; that of students must be double; that of hermits, triple; that of men wholly recluse, quadruple.

138. 'Let each man sprinkle the cavities of his body, and taste water in due form, when has discharged urine or feces; when he is going to read the *Vé'da*; and, invariably, before he takes his food :

139. 'First, let him thrice taste water; then twice let him wipe his mouth, if he *be of a twiceborn class, and* desire corporeal purity; but a woman or servile man may once respectively make that ablution.

140. '*Sú'dras,* engaged in religious duties, must perform each month the ceremony of shaving their heads; their food must be the orts of *Bra'hmens*; and their mode of purification, the same with that of a *Vaisya.*

141. 'Such drops of water, as fall from the mouth on any part of the body, render it not unclean; nor hairs of the beard, that enter the mouth; nor what adheres awhile to the teeth.

142. 'Drops, which trickle on the feet of a man holding

water for others, are held equal to waters flowing over pure earth : by them he is not defiled.

143. 'He, who carries in any manner an inanimate burden, and is touched by any thing impure, is cleansed by making an ablution, without laying his burden down.

144. 'Having vomited or been purged, let him bathe and taste clarified butter, but, if he have eaten already, let him only perform an ablution : for him, who has been connected with a woman, bathing is ordained by law.

145. 'Having slumbered, having sneezed, having eaten, having spitten, having told untruths, having drunk water, and going to read sacred books, let him, though pure, wash his mouth.

146. 'This perfect system of rules for purifying men of all classes, and for cleansing inanimate things, has been declared to you : hear now the laws concerning women.

147. 'By a girl, or by a young woman, or by a woman advanced in years, nothing must be done, even in her own dwelling place, according to her mere pleasure :

148. 'In childhood must a female be dependent on her father ; in youth, on her husband ; her lord being dead, on her sons ; *if she have no sons, on the near kinsmen of her husband ; if he left no kinsmen, on those of her father ; if she have no paternal kinsmen, on the sovereign :* a woman must never seek independence.

149. 'Never let her wish to separate herself from her father, her husband, or her sons ; for, by a separation from them, she expose, both families to contempt.

150. 'She must always live with a cheerful temper, with

good mangement in the affairs of the house, with great care of the household furniture, and with a frugal hand in all her expences.

151. 'Him, to whom her father has given her, or her brother with the paternal assent, let her obsequiously honour, while he lives; and, when he dies, let her never neglect him.

152. 'The recitation of holy texts, and the sacrifice ordained by the lord of creatures, are used in marriages for the sake of procuring good fortune to brides; but the first gift, *or troth plighted,* by the husband is the primary cause *and origin* of marital dominion.

153. 'When the husband has performed the nuptial rites with texts of the *Ve'da,* he gives bliss continually to his wife here below, both in season and out of season; and he will give her happiness in the next world.

154. 'Though inobservant of approved usages, or enamoured of another woman, or devoid of good qualities, yet a husband must constantly be revered as a god by a virtuous wife.

155. 'No sacrifice is allowed to women apart from their husbands, no religious rite, no fasting: as far only as a wife honours her lord, so far she is exalted in heaven.

156. 'A faithful wife, who wishes to attain in heaven the mansion of her husband, must do nothing unkind to him, be he living or dead:

157. 'Let her emaciate her body, by living voluntarily on pure flowers, roots, and fruit; but let her not, when her lord is deceased, even pronounce the name of another man.

158. 'Let her continue till death forgiving all injuries, performing harsh duties, avoiding every sensual pleasure, and cheerfully practising the incomparable rules of virtue, which have been followed by such women, as were devoted to one only husband.

159. 'Many thousands of *Bráhmens*, having avoided sensuality from their early youth, and having left no issue in their families, have ascended, *nevertheless*, to heaven ;

160. 'And, like those abstemious men, a virtuous wife ascends to heaven, though she have no child, if, after the decease of her lord, she devote herself to pious austerity :

161. 'But a widow, who, from a wish to bear children, slights her deceased husband *by marrying again*, brings disgrace on herself here below, and shall be excluded from the seat of her lord.

162. 'Issue, begotten on a woman by any other *than her husband*, is here declared to be no progeny of hers ; no more than a child, begotten on the wife of another man, *belongs to the begetter :* nor is a second husband allowed, in any part of this code, to a virtuous woman.

163. 'She, who neglects her former (*púrva*) lord, though of a lower class, and takes another (*para*) of a higher, becomes despicable in this world, and is called *parapúrvá*, or *one who had a different husband before.*

164. 'A married woman, who violates the duty, which she owes to her lord, brings infamy on herself in this life, and, *in the next*, shall enter the womb of a shakal, or be afflicted with *elephantiasis, and other* diseases, which punish crimes ;

165. 'While she, who slights not her lord, but keeps her

mind, speech, and body, devoted to him, attains his heavenly mansion, and by good men is called *sádhví*, or *virtuous*.

166. 'Yes; by this course of life it is, that a woman, whose mind, speech, and body are kept in subjection, acquires high renown in this world, and, in the next, the same abode with her husband.

167. 'A twiceborn man, versed in sacred ordinances, must burn, with hallowed fire and fit implements of sacrifice, his wife dying before him, if she was of his own class, and lived by these rules:

168. 'Having thus kindled sacred fires, and performed funeral rites to his wife, who died before him, he may again marry, and again light the nuptial fire.

169. 'Let him not cease to perform day by day according to the preceding rules, the five great sacraments; and, having taken a lawful consort, let him dwell in his house during the second period of his life.

CHAPTER THE SIXTH.

On Devotion; or on the Third and Fourth Orders.

1. 'HAVING thus remained in the order of a housekeeper, as the law ordains, let the twiceborn man, who had before completed his studentship, dwell in a forest, his faith being firm and his organs wholly subdued.

2. 'When the father of a family, perceives his muscles become flaccid and his hair gray, and sees the child of his child, let him then seek refuge in a forest:

3. 'Abandoning all food eaten in towns, and all his household utensils, let him repair to the lonely wood, committing the care of his wife to her sons, or accompanied by her, *if she chuse to attend him.*

4. 'Let him take up his consecrated fire, and all his domestick implements of making oblations to it, and, departing from the town to the forest, let him dwell in it with complete power over his organs *of sense and of action.*

5. 'With many sorts of pure food, such as holy sages used to eat, with green herbs, roots, and fruit, let him perform the

five great sacraments before mentioned, introducing them with due ceremonies.

6. 'Let him wear a black antelope's hide, or a vesture of bark; let him bathe evening and morning; let him suffer the hairs of his head, his beard, and his nails to grow continually.

7. 'From such food, as himself may eat, let him, to the utmost of his power, make offerings and give alms; and with presents of water, roots, and fruit, let him honour those, who visit his hermitage.

8. 'Let him be constantly engaged in reading the *Ve'da*; patient of all extremities, universally benevolent, with a mind intent on the Supreme Being; a perpetual giver, but no receiver of gifts; with tender affection for all animated bodies.

9. 'Let him, as the law directs, make oblations on the hearth with three sacred fires; not omitting in due time the ceremonies to be performed at the conjunction and opposition of the moon.

10. 'Let him also perform the sacrifice ordained in honour of the lunar constellations, make the prescribed offering of new grain, and solemnize holy rites every four months, and at the winter and summer solstices.

11. 'With pure grains, the food of ancient sages, growing in the vernal and autumnal seasons, and brought home by himself, let him severally make, as the law ordains, the oblations of cakes and boiled grain;

12. 'And, having presented to the gods, that purest oblation, which the wild woods produced, let him eat what remains, together with some native salt, which himself collected.

13. 'Let him eat green herbs, flowers, roots, and fruit, that grow on earth or in water, and the productions of pure trees, and oils formed in fruits.

14. 'Honey and fleshmeat he must avoid, and all sorts of mushrooms, the plant *bhu'strĭna*, that named *sighruca*, and the fruit of the *fléshma taca*.

15. 'In the month *A'swina* let him cast away the food of sages, which he before had laid up, and his vesture, then become old, and his herbs, roots, and fruit.

16. 'Let him not eat the produce of ploughed land, though abandoned by any man, *who owns it*, nor fruit and roots produced in a town, even though hunger oppress him.

17. 'He may eat what is mellowed by fire, and he may eat what is ripened by time; and either let him break hard fruits with a stone, or let his teeth serve as a pestle.

18. 'Either let him pluck enough for a day, or let him gather enough for a month; or let him collect enough for six months, or lay up enough for a year.

19. 'Having procured food, as he is able, he may eat it at eve or in the morning; or he may take only every fourth, or every eighth, such regular meal;

20. 'Or, by the rules of the lunar penance, he may eat a mouthful less each day of the bright, and a mouthful more each day of the dark, fortnight; or he may eat only once, at the close of each fortnight, a mess of boiled grains:

21. 'Or he may constantly live on flowers and roots, and on fruit matured by time, which has fallen spontaneously, strictly observing the laws ordained for hermits.

22. 'Let him slide backwards and forwards on the ground; or let him stand a whole day on tiptoe; or let him continue in motion rising and sitting alternately; but at sunrise, at noon, and at sunset, let him go to the waters and bathe.

23. 'In the hot season, let him sit exposed to five fires, *four blazing around him with the sun above;* in the rains, let him stand uncovered, *without even a mantle,* where the clouds pour *the heaviest* showers; in the cold season, let him wear humid vesture; and let him increase by degrees the austerity of his devotion:

24. 'Performing his ablution at the three *Savanas,* let him give satisfaction to the manes and to the gods; and, enduring harsher and harsher mortifications, let him dry up his bodily frame.

25. 'Then, having reposited his holy fires, as the law directs, in his mind, let him live without external fire, without a mansion, wholly silent, feeding on roots and fruit;

26. 'Not solicitous for the means of gratification, chaste as a student, sleeping on the bare earth, in the haunts of pious hermits, without one selfish affection, dwelling at the roots of trees.

27. 'From devout *Bra'hmens* let him receive alms to support life, or from other housekeepers of twiceborn classes, who dwell in the forest:

28. 'Or the hermit may bring food from a town, having received it in a basket of leaves, in his naked hand, or in a potsherd; and then let him swallow eight mouthfuls.

29. 'These and other rules must a *Bra'hmen,* who retires to the woods, diligently practise; and, for the purpose of uniting

his soul with the divine spirit, let him study the various *upanishads* of scripture, or *chapters of the essence and attributes of God.*

30. 'Which have been studied with reverence by anchorites versed in theology, and by housekeepers, who dwelt afterwards in forests, for the sake of increasing their sublime knowledge and devotion, and for the purification of their bodies.

31. 'Or, *if he has any incurable disease,* let him advance in a straight path, towards the invincible *north eastern* point, feeding on water and air, till his mortal frame totally decay, and his soul become united with the Supreme.

32. 'A *Brá'hmen,* having shuffled off his body by any of those modes, which great sages practised, and becoming void of sorrow and fear, rises to exaltation in the divine essence.

33. 'HAVING thus performed religious acts in a forest during the third portion of his life, let him become a *Sannyá'si* for the fourth portion of it, abandoning all sensual affections, *and wholly reposing in the Supreme Spirit:*

34. 'The man, who has passed from order to order, has made oblations to fire *on his respective changes of state,* and has kept his members in subjection, but, tired with *so long a course of giving* alms and *making* offerings, thus reposes himself entirely on GOD, shall be raised after death to glory.

35. 'When he has paid his three debts *to the sages, the manes, and the gods,* let him apply his mind to final beatitude; but low shall He fall, who presumes to seek beatitude, without having discharged those debts:

36. 'After he has read the *Védas* in the form prescribed by law, has legally begotten a son, and has performed sacrifices to

the best of his power, he *has paid his three debts,* and may then apply his heart to eternal bliss;

37. 'But if a *Bra'hmen* have not read the *Ve'da,* if he have not begotten a son, and if he have not performed sacrifices, yet shall aim at final beatitude, he shall sink to a place of degradation.

38. 'Having performed the sacrifice of PRAJA'PETI, accompanied with a gift of all his wealth, *and* having reposited in his mind the sacrificial fires, a *Bra'hmen* may proceed from his house, *that is, from the second order, or he may proceed even from the first,* to the condition of a *Sannya'si.*

39. 'Higher worlds are illuminated with the glory of that man, who passes from his house into the fourth order, giving exemption from fear to all animated beings, and pronouncing the *mystick words of* the *Ve'da:*

40. 'To the *Bra'hmen,* by whom not even the smallest dread has been occasioned to sentient creatures, there can be no dread from any quarter whatever, when he obtains a release from his mortal body.

41. 'Departing from his house, taking with him pure implements; *his waterpot and staff,* keeping silence, unallured by desire of the objects near him, let him enter into the fourth order.

42. 'Alone let him constantly dwell, for the sake of his own felicity: observing the happiness of a solitary man, who neither forsakes nor is forsaken, let him live without a companion.

43. 'Let him have no culinary fire, no domicil; let him, *when very hungry,* go to the town for food; let him patiently bear disease; let his mind be firm; let him study to know God, and fix his attention on God alone.

44. 'An earthen waterpot, the roots of large trees, coarse vesture, total solitude, equanimity toward all creatures, these are the characteristicks of a *Bra'hmen* set free.

45. 'Let him not wish for death; let him not wish for life let him expect his appointed time, as a hired servant expects hi wages.

46. 'Let him advance his foot purified by looking down, *lest he touch any thing impure*; let him drink water purified by straining with a cloth, *lest he hurt some insect*; let him, *if he chuse to speak*, utter words purified by truth; let him by all means keep his heart purified.

47. 'Let him bear a reproachful speech with patience; let him speak reproachfully to no man; let him not, on account of this *frail and serverish* body, engage in hostility with any one living.

48. 'With an angry man let him not in his turn be angry; abused, let him speak mildly; nor let him utter a word relating to vain illusory things and confined within seven gates, *the five organs of sense, the heart, and the intellect; or this world, with three above and three below it.*

49. 'Delighted with meditating on the Supreme Spirit sitting fixed in such meditation, without needing any thing earthly, without one sensual desire, without any companion but his own soul, let him live in this world seeking the bliss of the next.

50. 'Neither by explaining omens and prodigies, nor by skill in astrology and palmestry, nor by casuistry and expositions of holy texts, let him at any time gain his daily support.

51. 'Let him not go near a house frequented by hermits, or priests, or birds, or dogs, or other beggars.

52. 'His hair, nails, and beard being clipped, bearing with him a dish, a staff, and a waterpot, his whole mind being fixed on GOD, let him wander about continually, without giving pain to *animal or vegetable* beings.

53. 'His dishes must have no fracture, nor must they be made of bright metals: the purification ordained for them must be with water alone, like that of the vessels for a sacrifice.

54. 'A gourd, a wooden bowl, an earthen dish, or a basket made of reeds, has MENU, son of the Self-existing, declared fit vessels to receive the food of *Bráhmens* devoted to God.

55. 'Only once a day let him demand food; let him not habituate him to eat much at a time; for an anchorite, habituated to eat much, becomes inclined to sensual gratifications.

56. 'At the time when the smoke of kitchen fires has ceased, when the pestle lies motionless, when the burning charcoal is extinguished, when people have eaten and when dishes are removed, *that is, late in the day,* let the *Sannyási* always beg food.

57. 'For missing it, let him care only for a sufficiency to support life, but let him not be anxious about his utensils.

58. 'Let him constantly disdain to receive food after humble reverence; since, by receiving it in consequence of an humble salutation, a *Sannyási,* though free, becomes a captive.

59. 'By eating little and by sitting in solitary places, let him restrain those organs, which are naturally hurried away by sensual desires.

60. 'By the coercion of his members, by the absence of hate and affection, and by giving no pain to sentient creatures, he becomes fit for immortality.

61. 'Let him reflect on the transmigrations of men caused by their sinful deeds, on their downfal into a region of darkness and their torments in the mansion of YAMA;

62. 'On their separation from those, whom they love, and their union with those, whom they hate, on their strength overpowered by old age, and their bodies racked with disease;

63. 'On their agonizing departure from this corporeal frame, their formation again in the womb, and the glidings of this vital spirit through ten thousand millions of uterine passages;

64. 'On the misery attached to embodied spirits from a violation of their duties, and the unperishable bliss attached to them from their abundant performance of all duties, religious and civil.

65. 'Let him reflect also, with exclusive application of mind, on the subtil indivisable essence of the supreme spirit, and its complete existence in all beings, whether extremely high or extremely low.

66. 'Equalminded towards all creatures, in what order soever *he may have been* placed, let him fully discharge his duty, though he bear not the visible marks of his order: the visible mark, *or mere name,* of his order is by no means an effective discharge of his duty;

67. 'As, although the fruit of the tree *cataca* purify water, yet a man cannot purify water by merely pronouncing the name of that fruit: *he must throw it, when pounded, into the jar.*

68. 'For the sake of preserving minute animals by night and by day, let him walk, though with pain to his own body, perpetually looking on the ground.

69. 'Let a *Sannyási*, by way of expiation for *the death of* those creatures, which he may have destroyed unknowingly by day or by night, make six suppressions of his breath, having duly bathed:

70. 'Even three suppressions of breath made according to the divine rule, accompanied with the triverbal phrase *(bhurbhuvah swah)* and the triliteral syllable *(o'm)*, may be considered as the highest devotion of a *Bra'hmen*;

71. 'For as the dross and impurities of metallick ores are consumed by fire, thus are the sinful acts of the human organs consumed by suppressions of the breath, *while the mystick words, and the measures of the* ga'yatri' *are revolved in the mind.*

72. 'Let him thus by such suppressions of breath burn away his offences; by reflecting intensely on the steps of ascent to beatitude, *let him destroy sin;* by coercing his members, let him restrain all sensual attachments; by meditating on *the intimate union of his own soul and* the divine essence, let him extinguish all qualities repugnant to the nature of God.

73. Let him observe, with extreme application of mind, the progress of this internal spirit through various bodies, high and low; *a progress* hard to be discerned by men with unimproved intellects.

74. 'He, who fully understands the perpetual omnipresence of God, can be led no more captive by criminal acts; but he, who possesses not that sublime knowledge, shall wander again through the world.

75. 'By injuring nothing animated, by subduing all sensual appetites, by devout rites ordained in the *Ve'da*, and by rigorous mortifications, men obtain, even in this life, the state of beatitude.

76. 'A mansion with bones for its rafters and beams; with nerves and tendons, for cords; with muscles and blood, for mortar; with skin, for its outward covering; filled with no sweet perfume, but loaded with feces and urine;

77. 'A mansion infested by age and by sorrow, the seat of malady, harassed with pains, haunted with the quality of darkness, and incapable of standing long; such a mansion of the vital soul let its occupier always cheerfully quit:

78. 'As a tree leaves the bank of a river *when it falls in,* or as a bird leaves the branch of a tree *at his pleasure,* thus he, who leaves his body *necessity or by legal choice,* is delivered from the ravening shark, *or crocodile,* of the world.

79. 'Letting his good acts descend (by the law the *Ve'da*) to those, who love him, and his evil deeds, to those, who hate him, he may attain, through devout meditation, the eternal spirit.

80. 'When, having well considered the nature and consequence of sin, he becomes averse from all sensual delights, he then attains bliss in this world; bliss, which shall endure after death.

81. 'Thus, having gradually abandoned all earthly attachments, and indifferent to all pairs of opposite things, *as honour and dishonour, and the like,* he remains absorbed in the divine essence.

82. 'All, that has now been declared, is obtained by pious meditation; but no man, who is ignorant of the supreme spirit, can gather the fruit of mere ceremonial acts.

83. 'Let him constantly study that part of the *Ve'da,* which relates to sacrifice; that, which treats of subordinate deities;

that, which reveals the nature of the supreme GOD; and whatever is declared in the *Upanishads*.

84. 'This holy scripture is a sure refuge even for those, who understand not its meaning, and of course for those, who understand it; this *Ve'da* is a sure ressource for those, who seek bliss above, this *is a sure ressource* for those, who seek bliss eternal.

85. 'That *Bra'hmen*, who becomes a *Sannya'si* by this discipline, *announced* in due order, shakes off sin here below, and reaches the most high.

86. 'THIS *general* law has been revealed to you for anchorites with subdued minds: now learn the particular discipline of those, who become recluses according to the *Ve'da*, that is, *of anchorites in the first of the four degrees.*

87. 'The student, the married man, the hermit, and the anchorite, are the offspring, though in four orders, of married men keeping house;

88. 'And all, or even any, of those orders, assumed in their turn, according to the sacred ordinances, lead the *Bra'hmen*, who acts by the preceding rules, to the highest mansion:

89. 'But of all those, the housekeeper, observing the regulations of the *Sruti* and *Smriti*, may be called the chief; since he supports the three *other orders*.

90. 'As all rivers, female and male, run to their determined place in the sea, thus men of all *other* orders, repair to their fixed place in the mansion of the housekeeper.

91. 'By *Bra'hmens*, placed in these four orders, a tenfold system of duties must ever be sedulously practised:

92. 'Content, returning good for evil, resistance to sensual

appetites, abstinence from illicit gain, purification, coercion of the organs, knowledge of scripture, knowledge of the supreme spirit, veracity, and freedom from wrath, from their tenfold system of duties.

93. 'Such *Bra'hmens*, as attentively read the ten precepts of duty, and after reading, carefully practise them, attain the most exalted condition.

94. 'A *Bra'hmen*, having practised, with organs under command, this tenfold system of duty, having heard the *Upanishads* explained, as the law directs, and who has discharged his three debts, may become an anchorite, *in the house of his son*, according to the *Ve'da*;

95. 'And, having abandoned all ceremonial acts, having expiated all his offences, having obtained a command over his organs, and having perfectly understood the scripture, he may live at his ease, while the household affairs are conducted by his son.

96. 'When he thus has relinquished all forms, is intent on his own occupation, and free from every other desire, when, by devoting himself to GOD, he has effaced sin, he then attains the supreme path of glory.

97. 'THIS fourfold regulation for the sacerdotal class, has thus been made known to you; a just regulation, producing endless fruit after death: next, learn the duty of kings, *or the military class*.'

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CHAPTER THE SEVENTH.

On Government, and Publick Law; or on the Military Class,

1. 'I WILL fully declare the duty of kings; *and show* how a ruler of men should conduct himself, in what manner he was framed, and how his ultimate reward *may be attained by him.*

2. 'By a man of the military class, who has received in due form the investiture, which the *Ve'da* prescribes, great care must be used to maintain the whole *assemblage of laws.*

3. 'Since, if the world had no king, it would quake on all sides through fear, the ruler of this *universe,* therefore, created a king, for the maintenance of this system, both religious and civil,

4. 'Forming him of eternal particles drawn from the substance of INDRA, PAVANA, YAMA, SU'RYA, of AGNI and VARUNA, of CHANDRA and CUVE'RA:

5. 'And since a king was composed of particles drawn from those chief guardian deities, he consequently surpasses all mortals in glory.

6. 'Like the sun, he burns eyes and hearts; nor can any human creature on earth even gaze on him.

7. 'He *is* fire and air; he, both sun and moon; he, the god of criminal justice; he, the genius of wealth; he, the regent of waters; he, the lord of the firmament.

8. 'A king, even though a child, must not be treated lightly, from an idea that he is a mere mortal: no; he is a powerful divinity, who appears in a human shape.

9. 'Fire burns only one person, who carelessly goes too near it; but the fire of a king in wrath burns a whole family, with all their cattle and goods.

10. 'Fully considering the business before him, his own force, and the place, and the time, he assumes in sucession all sorts of forms, for the sake of advancing justice.

11. 'He, sure, must be the perfect essence of majesty, by whose favour Abundance rises on her lotos, in whose valour dwells conquest; in whose anger, death.

12. 'He, who shows hatred of the king, through delusion of mind, will certainly perish; for speedily will the king apply his heart to that man's perdition.

13. 'LET the king prepare a just compensation for the good, and a just punishment for the bad: the rule of strict justice let him never transgress.

14. 'For his use BRAHMA formed in the begining of time the genius of punishment, with a body of pure light, his own son, even abstract criminal justice, the protector of all created things:

15. 'Through fear of that genius all sentient beings, whether fixed or locomotive, are fitted for natural enjoyments and swerve not from duty.

16. 'When the king, therefore, has fully considered place and time, and his own strength, and the divine ordinance, let him justly inflict punishment on all those, who act unjustly.

17. 'Punishment is an active ruler; he is the true manager of publick affairs; he is the dispenser of laws; and wise men call him the sponsor of all the four orders for the discharge of their several duties.

18. 'Punishment governs all mankind; punishment alone preserves them; punishment wakes, while their guards are asleep: the wise consider punishment as the perfection of justice.

19. 'When rightly and considerately inflicted, it makes all the people happy; but, inflicted without full conisderation, it wholly destroys them all.

20. 'If the king were not, without indolence, to punish the guilty, the stronger would roast the weaker, like fish, on a spit; *(or, according to one reading,* the stronger would oppress the weaker, like fish in their element;)

21. 'The crow would peck the consecrated offering of rice; the dog would lick the clarified butter; ownership would remain with none; the lowest would overset the highest.

22. 'The whole race of men is kept in order by punishment; for a guiltless man is hard to be found: through fear of punishment, indeed, this universe is enabled to enjoy its blessings:

23. 'Deities and demons, heavenly songsters and cruel giants, birds and serpents, are made capable, by just correction, of their several enjoyments.

24. 'All classes would become corrupt; all barriers would

be destroyed, there would be total confusion among men, if punishment either were not inflicted, or were inflicted unduly :

25. ' But where punishment, with a black hue and a red eye, advances to destroy sin, there, if the judge discern well, the people are undisturbed.

26. ' Holy sages consider as a fit dispenser of criminal justice, that king, who invariably speaks truth, who duly considers all cases, who understands the sacred books, who knows the distinctions of virtue, pleasure, and riches ;

27. ' Such a king, if he justly inflict legal punishments, greatly increases those three means of happiness; but punishment itself shall destroy a king, who is crafty, voluptuous, and wrathful :

28. ' Criminal justice, the bright essence of majesty, and hard to be supported by men with unimproved minds, eradicates a king, who swerves from his duty, together with all his race :

29. ' Punishment shall overtake his castles, his territories, his peopled land with all fixed and all moveable things, that exist on it : even the gods and the sages, *who lose their oblations*, will be afflicted and ascend to the sky.

30. ' Just punishment cannot be inflicted by an ignorant and covetous king, who has no wife and virtuous assistant, whose understanding has not been improved, and whose heart is addicted to sensuality :

31. ' By a king, wholly pure, faithful to his promise, observant of the scriptures, with good assistants and sound understanding, may punishment be justly inflicted.

32. ' Let him in his own domains act with justice, chastise

foreign foes with rigour, behave without duplicity to his affectionate friends, and with lenity to *Bra'hmens*.

33. 'Of a king thus disposed, even though he subsist by gleaning, *or, be his treasure ever so small,* the fame is far spread in the world, like a drop of oil in water;

34. 'But of a king with a contrary disposition, with passions unsubdued, *be his riches ever so great,* the fame is contracted in the world, like clarified butter in the same element.

35. 'A king was created as the protector of all those classes and orders, who, from the first to the last, discharge their several duties;

36. '*And* all, that must be done by him, for the protection of his people, with the assistance of good ministers, I will declare to you, as the law directs, in due order.

37. 'LET the king, having risen at early dawn, respectfully attend to *Bra'hmens,* learned in the three *Ve'das,* and in the science of ethicks; and by their decision let him abide.

38. 'Constantly must he show respect to *Bra'hmens,* who have grown old, *both in years and in piety,* who know the scriptures, who *in body and mind* are pure; for he, who honours the aged, will perpetually be honoured even by cruel demons:

39. 'From them, though he may have acquired modest behaviour *by his own good sense and by study,* let him continually learn habits of modesty and composure; since a king, whose demeanour is humble and composed, never perishes.

40. 'While, through want of such humble virtue, many kings have perished with all their possessions, and, through virtue united with modesty, even hermits have obtained kingdoms.

41. 'Through want of that virtuous humility VE'NA was utterly ruined, and so was the great king NAHUSHA, and SUDA'SA, and YAVANA *(or, by a differnt reading,* and SUDA SA, the son of PIYAVANA), and SUMAC'HA, and NIMI;

42. 'But, by virtues with humble behaviour, PRI'T'HU and MENU acquired sovereignty; CUVE'RA, wealth inexhaustible; and VISWA'MITRA, son of GA'DHI, the rank of a priest, *though born in the military class.*

43. 'From those, who know the three *Ve'das*, let him learn the triple doctrine comprised in them, together with the primeval science of criminal justice and sound policy, the system of logick and metaphysicks, and sublime theological truth: from the people he must learn the theory of *agriculture, commerce, and other* practical arts.

44. 'Day and night must he strenuously exert himself to gain complete victory over his own organs; since that king alone, whose organs are completely subdued, can keep his people firm to their duty.

45. 'With extreme care let him shun eighteen vices, ten proceeding from love of pleasure, eight springing from wrath, and all ending in misery;

46. 'Since a king, addicted to vices arising from love of pleasure, must lose both his wealth and his virtue, and, addicted to vices arising from anger, he may lose even his life *from the publick resentment.*

47. 'Hunting, gaming, sleeping by day, censuring rivals, excess with women, intoxication, singing, instrumental musick, dancing, and useless travel, are the tenfold set of vices produced by love of pleasure:

48. 'Talebearing, violence, insidious wounding, envy,

detraction, unjust seizure of property, reviling, and open assault, are in like manner the eightfold set of vices, to which anger gives birth.

49. 'A selfish inclination, which all wise men know to be the root of those two sets, let him suppress with diligence: both sets of vices are constantly produced by it.

50. 'Drinking, dice, women, and hunting, let him consider as the four most pernicious in the set, which love of pleasure occasions;

51. 'Battery, defamation, and injury to property, let him always consider as the three most heinous in the set, which arises from wrath;

52. '*And* in this sevenfold assemblage of vices, too frequently prevailing in all kingdoms, let an enlightened prince consider the first, and so forth in order, as the most abominable in each set.

53. 'On a comparison between death and vice, the learned pronounce vice the more dreadful; since, after death, a vicious man sinks to regions lower and lower, while a man, free from vice, reaches heaven.

54. 'The king must appoint seven or eight ministers, who must be sworn *by touching a sacred image and the like*; men, whose ancestors were servants of kings; who are versed in the holy books; who are personally brave; who are skilled in the use of weapons; and whose lineage is noble.

55. 'Even an act easy in itself is hard sometimes to be performed by a single man, especially if he have no assistant near: how much harder *must it be to perform alone the business of* a kingdom with great revenues!

56. 'Let him perpetually consult with those ministers on peace and war, on his forces, on his revenues, on the protection of his people, and on the means of bestowing aptly the wealth, which he has acquired :

57. 'Having ascertained the several opinons of his counsellors, *first* apart and *then* collectively, let him do what is most beneficial for him in publick affairs.

58. 'To one learned *Bra'hmen*, distinguished among them all, let the king impart his momentous counsel, relating to six *principal* articles.

59. 'To him, with full confidence, let him intrust all transactions ; and with him, having taken his final resolution, let him begin all his measures.

60. 'He must likewise appoint other officers ; men of integrity, well informed, steady, habituated to gain wealth by honourable means, and tried by experience.

61. 'As many officers as the due performance of his business requires, not slothful men, *but active*, able, and well instructed, so many, and no more, let him appoint.

62. 'Among those let him employ the brave, the skilful, the wellborn, and the honest, in his mines *of gold or gems*, and in other similar works *for amassing wealth ;* but the pusillanimous, in the recesses of his palace.

63. 'Let him likewise appoint an ambassador versed in all the *Sástras*, who understands hints, external signs, and actions, *whose hand and heart are* pure, whose abilities are great, and whose birth was illustrious :

64. 'That royal ambassador is applauded most, who is

generally beloved, pure within and without, dextrous in business, and endued with an excellent memory; who knows countries and times, is handsome, intrepid, and eloquent.

65. 'The forces of the realm must be immediately regulated by the commander in chief; the actual infliction of punishment, by the officers of criminal justice; the treasury and the country, by the king himself; peace and war, by the ambassador;

66. 'For it is the ambassador alone, who unites, who alone disjoins the united; that is, he transacts the business, by which kingdoms are at variance or in amity.

67. 'In the transaction of affairs let the ambassador comprehend the visible signs and hints, and discover the acts, of the foreign king, by the signs, hints, and acts of his confidential servants, and the measures, which that king wishes to take, by *the character and conduct of* his ministers.

68. 'Thus, having learned completely *from his ambassador* all the designs of the foreign prince, let the king so apply his vigilant care, that he bring no evil on himself.

69. 'Let him fix his abode in a district containing open champaigns; abounding with grain; inhabited chiefly by the virtuous; not infected with maladies; beautiful to the sight; surrounded by submissive *mountaineers, foresters, or other* neighbours; a country, in which the subjects may live at ease.

70. 'There let him reside in a capital, having, by way of a fortress, a desert *rather more than twenty miles round it,* or a fortress of earth, a fortress of water, or of tress, a fortress of armed men, or a fortress of mountains.

71. 'With all possible care let him secure a fortress of mountains; for, among those just mentioned, a fortress of mountains; has many transcendent properties.

72. 'In the three first of them live wild beasts, vermin, and aquatick animals; in the three last, apes, men, and gods, in order as they are named:

73. 'As enemies hurt them not in the shelter of their several abodes, thus foes hurt not a king, who has taken refuge in his *durga*, or *place of difficult access*.

74. 'One bowman, placed on a wall, is a match in war for a hundred enemies; and a hundred, for ten thousand; therefore is a fort recommended.

75. 'Let that fort be supplied with weapons, with money, with grain, with beasts, with *Bráhmens*, with artificers, with engines, with grass, and with water.

76. 'In the centre of it let him raise his own palace, well finished in all its parts, completely defended, habitable in every season, brilliant *with white stucco*, surrounded with water and trees:

77. 'Having prepared it for his mansion, let him chuse a consort of the same class with himself, endued with all the bodily marks of excellence, born of an exalted race, captivating his heart, adorned with beauty and the best qualities.

78. 'He must appoint also a domestick priest, and retain a performer of sacrifices, who may solemnize the religious rites of his family, and those performed with three sacred fires.

79. 'Let the king make sacrifices, accompanied with gifts of many different kinds; and for the full discharge of his duty, let him give the *Bráhmens* both legal enjoyments and moderate wealth.

80. 'His annual revenue he may receive from his whole

dominion through his collectors ; but let him in this world observe the divine ordinances ; let him act as a father to his people.

81. 'Here and there he must appoint many sorts of intelligent supervisors, who may inspect all the acts of the officers engaged in his business.

82. 'To *Bra'hmens* returned from the mansions of their preceptors, let him show due respect ; for that is called a precious unperishable gem, deposited by kings with the sacerdotal class:

83. 'It is a gem, which neither thieves or foes take away ; which never perishes : kings must, therefore, deposit with *Bra'hmens* that indestructible jewel *of respectful presents.*

84. 'An oblation in the mouth, *or hand,* of a *Bra'hmen,* is far better than offerings to holy fire : it never dries ; it is never consumed.

85. 'A gift to one not a *Bra'hmen* produces fruit of a middle standard ; to one, who calls himself a *Bra'hmen,* double ; to a well read *Bra'hmen,* a hundred thousand fold ; to one, who has read all the *Ve'das,* infinite.'

86. 'Of a gift, made with faith in the *Sa'stra,* to a person highly deserving it, the giver shall indubitably gain the fruit after death, be the present small or great.

87. 'A KING, while he protects his people, being defied by an enemy of equal, greater, or less force, must by no means turn his face from battle, but must remember the duty of his military class :

88. 'Never to recede from combat, to protect the people, and

to honour the priests, is the highest duty of kings and insures their felicity.

89. 'Those rulers of the earth, who, desirous of defeating each other, exert their utmost strength in battle, without ever averting their faces, ascend after death directly to heaven.

90. 'LET no man, engaged in combat, smite his foe with *sharp* weapons concealed *in wood*, nor with arrows mischievously barbed, nor with poisoned arrows, nor with darts blazing with fire;

91. 'Nor let him *in a car or on horseback*, strike his enemy alighted on the ground; nor an effeminate man; nor one, who sues for life with closed palms; nor one, whose hair is loose *and obstructs fight;* nor one, who sits down *fatigued;* nor one, who says "I am thy captive;"

92. 'Nor one, who sleeps; nor one, who had lost his coat of mail; nor one, who is naked; nor one, who is disarmed; nor one, who is a spectator, but not a combatant; nor one, who is fighting with another man:

93. 'Calling to mind the duty of honourable men, let him never slay one, who has broken his weapon; nor one, who is afflicted *with private sorrow*; nor one, who has been grievously wounded; nor one, who is terrified; nor one, who turns his back.

94. 'The soldier, indeed, who, fearing and turning his back, happens to be slain by his foes in an engagement, shall take upon himself all the sin of his commander, whatever it be;

95. 'And the commander shall take to himself *the fruit of*

all the good conduct, which the soldier, who turns his back and is killed, had previously stored up for a future life.

96. 'CARS, horses, elephants, umbrellas, habiliments, *except the jewels which may adorn them*, grain, cattle, women, all sorts of liquids and metals, except gold and silver, are the lawful prizes of the man who takes them in war;

97. 'But of those prizes the captors must lay the most valuable before the king: such is the rule in the *Ve'da* concerning them; and the king should distribute among the whole army what has not been separately taken.

98. 'Thus has been declared the blameless primeval law for military men: from this law a king must never depart, when he attacks his foes in battle.

99. 'What he has not gained *from his foe*, let him strive to gain; what he has acquired, let him preserve with care; what he preserves, let him augment; and what he has augmented, let him bestow on the deserving.

100. 'This is the fourfold rule, which he must consider as the sure means of attaining the great object of man, *happiness*; and let him practise it fully without intermission, without indolence:

101. 'What he has not gained, let him strive to gain by military strength; what he has acquired, let him preserve by careful inspection; what he has preserved, let him augment by legal modes of increase; and what he has augmented, let him dispense with just liberality.

102. 'Let his troops be constantly exercised; his prowess, constantly displayed; what he ought to secure, constantly secured; and the weakness of his foe, constantly investigated.

103. 'By a king, whose forces are always ready for action, the whole world may be kept in awe ; let him then, by a force always ready, make all creatures living his own.

104. 'Let him act on all occasions without guile, and never with insincerity ; but, keeping himself ever on his guard, let him discover the fraud intended by his foe.

105. 'Let not his enemy discern his vulnerable part, but the vulnerable part of his enemy let him well discern : like a tortoise, let him draw in his members under *the shell of* concealment, and diligently let him repair any breach, that may be made in it.

106. 'Like a heron, let him muse on gaining advantages ; like a lion, let him put forth his strength ; like a wolf, let him creep towards his prey ; like a hare, let him double to secure his retreat.

107. 'When he thus has prepared himself for conquest, let him reduce all opposers to submission by negotiation and three other expedients, *namely, presents, division, and force of arms :*

108. 'If they cannot be restrained by the three first methods, then let him, firmly but gradually, bring them to subjection by military force.

109. 'Among those four modes of obtaining success, the wise prefer negotiation and war for the exaltation of kingdoms.

110. 'As a husbandman plucks up weeds and preserves his corn, thus let a king destroy his opponents and secure his people.

111. 'That king, who, through weakness of intellect, rashly oppresses his people, will, together with his family, be deprived both of kingdom and life :

112. 'As, by the loss of bodily sustenance, the lives of animated beings are destroyed, thus, by the distress of kingdoms, are destroyed even the lives of kings.

113. 'For the sake of protecting his dominions, let the king perpetually observe the following rules; for, by protecting his dominions, he will increase his own happiness.

114. 'Let him place, as the protectors of his realm, a company of guards, commanded by an approved officer, over two, three, five, or a hundred districts, *according to their extent*,

115. 'Let him appoint a lord of one town with its district, a lord of ten towns, a lord of twenty, a lord of a hundred, and a lord of a thousand.

116. 'Let the lord of one town certify of his own accord to the lord of ten towns any *robberies, tumults, or other* evils, which arise in his district, *and which he cannot suppress;* and the lord of ten, to the lord of twenty:

117. 'Then let the lord of twenty towns notify them to the lord of a hundred; and let the lord of a hundred transmit the information himself to the lord of a thousand townships.

118. 'Such food, drink, wood, and other articles, as by law should be given each day to the king by the inhabitants of the township, let the lord of one town receive *as his perquisite*:

119. 'Let the lord of ten towns enjoy the produce of two ploughlands, *or as much ground as can be tilled with two ploughs, each drawn by six bulls*; the lord of twenty, that of five ploughlands; the lord of a hundred, that of a village or small town; the lord of a thousand, that of a large town.

120. 'The affairs of those *townships*, either jointly or separ-

ately transacted, let another minister of the king inspect ; who should be well affected, and by no means remiss.

121. ' In every large town or city, let him appoint one superintendent of all affairs, elevated in rank, formidable in power, distinguished as a planet among stars :

122. ' Let that governor from time to time survey all the rest in person, and, by means of his emissaries, let him perfectly know their conduct in their several districts.

123. ' Since the servants of the king, whom he has appointed guardians of districts, are generally knaves, who seize what belongs to other men, from such knaves let him defend his people :

124. ' Of such evilminded servants, as wring wealth from subjects attending them on business, let the king confiscate all the possessions, and banish them from his realm.

125. ' For women, employed in the service of the king, and for his whole set of menial servants, let him daily provide a maintenance, in proportion to their station and to their work :

126. ' One *pana* of copper must be given *each day* as wages to the lowest servant, with two cloths *for apparel* every half year, and a *dróna* of grain every month ; to the highest *must be given wages in the ratio of* six *to one.*

127. ' Having ascertained the rates of purchase and sale, *the length of* the way, the expences of food and of condiments, the charges of securing the goods carried, and the neat profits of trade, let the king oblige traders to pay taxes *on their saleable commodities :*

128. ' After full consideration, let a king so levy those taxes

continually in his dominions, that both he and the merchant may receive a just compensation for their several acts.

129. ‘ As the leech, the suckling calf, and the bee, take their natural food by little and little, thus must a king draw from his dominions an annual revenue.

130. ‘ Of cattle, of gems, of gold and silver, *added each year to the capital stock*, a fiftieth part may be taken by the king ; of grain, an eighth part, a sixth, or a twelfth, *according to the difference of the soil, and the labour necessary to cultivate it.*

131. ‘ He may also take a sixth part of the clear annual increase of trees, fleshmeat, honey, clarified butter, perfumes, medical substances, liquids, flowers, roots, and fruit,

132. ‘ Of gathered leaves, potherbs, grass, utensils made with leather or cane, earthern pots, and all things made of stone.

133. ‘ A king, even though dying *with want*, must not receive any tax from a *Bra'hmen* learned in the *Vé'das*, nor suffer such a *Bra'hmen*, residing in his territories, to be afflicted with hunger :

134. ‘ Of that king, in whose dominion a learned *Bra'hmen* is afflicted with hunger, the whole kingdom will in a short time be afflicted with famine.

135. ‘ The king, having ascertained his knowledge of scripture and good morals, must allot him a suitable maintenance, and protect him on all sides, as a father protects his own son :

136. ‘ By that religious duty, which such a *Bra'hmen* performs each day, under the full protection of the sovereign, the life, wealth and dominions of his protector shall be greatly increased.

137. ‘ Let the king order a mere trifle to be paid, in the name

of the annual tax, by the meaner inhabitants of his realm, who subsist by petty traffick :

138. 'By low handicraftsmen, artificers, and servile men, who support themselves by labour, the king may cause work to be done for a day in each month.

139. 'Let him not cut up his own root *by taking no revenue*, nor the root of other men by excess of covetousness; for, by cutting up his own root *and theirs*, he makes both himself and them wretched.

140. 'Let him, considering the *diversity of* cases, be *occasionally* sharp and *occasionally* mild, since a king duly sharp and mild, becomes universally approved.

141. 'When tired of overlooking the affairs of men, let him assign the station *of such an inspector* to a principal minister, who well knows his duty, who is eminently learned, whose passions are subdued, and whose birth is exalted.

142. 'Thus must he protect his people, discharging, with great exertion and without languor, all those duties, which the law requires him to perform.

143. 'That monarch, whose subjects are carried from his kingdom by ruffians, while they call aloud for protection, and he barely looks on them with his ministers, is a dead, and not a living, king.

144. 'The highest duty of a military man is the defence of his people, and the king, who receives the consideration just mentioned, is bound to discharge that duty.

145. 'HAVING risen in the last watch of the night, his body being pure, and his mind attentive, having made oblations to fire,

and shown due respect to the priests, let him enter his hall decently splendid :

146. ' Standing there, let him gratify his subjects, before he dismiss them, *with kind looks and words*; and, having dismissed them all, let him take secret council with his principal ministers :

147. ' Ascending up the back of a mountain, or going privately to a terrace, a bower, a forest, or a lonely place, without listeners, let him consult with them unobserved.

148. ' That prince, of whose weighty secrets all assemblies of men are ignorant, shall attain dominion over the whole earth, though *at first* he possess no treasure.

149. ' At the time of consultation, let him remove the stupid, the dumb, the blind, and the deaf, talking birds, decrepit old men, women, and infidels, the diseased and the maimed ;

150. ' Since those, who are disgraced *in this life by reason of sins formerly committed,* are apt to betray secret council ; so are talking birds ; and so above all are women : them he must, for that reason, diligently remove.

151. ' At noon or at midnight, when his fatigues have ceased, and his cares are dispersed, let him deliberate, with those ministers or alone, on virtue, lawful pleasure, and wealth ;

152. ' On the means of reconciling the acquisition of them, when they oppose each other ; on bestowing his daughters in marriage, and on preserving his sons *from evil by the best education ;*

153. ' On sending ambassadors and messengers ; on the probable events of his measures ; on the behaviour *of his women* in the private apartment ; and on the acts even of his own emissaries.

154. 'On the whole eightfold business of kings, *relating to the revenue, to their expences, to the good or bad conduct of their ministers, to legislation in dubious cases, to civil and criminal justice, and to expiations for crimes,* let him reflect with the greatest attention; on his five sorts of spies, *or active and artful youths, degraded anchorets, distressed husbandmen, decayed merchants, and fictitious penitents, whom he must pay and see privately*; on the good will or enmity *of his neighbours,* and on the state of the circumjacent countries.

155. 'On the conduct of that foreign prince, who has moderate strength *equal to one ordinary foe, but no match for two*; on the designs of him, who is willing *and able* to be a conqueror; on the condition of him, who is pacifick, *but a match even for the former unallied*; and on that of his *natural* enemy, let him sedulously meditate;

156. 'Those *four powers,* who, in one word, are the root or *principal strength* of the countries round him, added to eight others, *who are called the* branches, *and are as many degrees of allies and opponents variously distinguished,* are declared to be twelve chief objects *of the royal consideration*;

157. 'And five other heads, namely, their ministers, their territories, their strong holds, their treasuries, and their armies, being applied to each *of those twelve,* there are in all, *together with them,* seventytwo *foreign* objects *to be carefully investigated.*

158. 'Let the king consider as hostile to him the power immediately beyond him, and favourer of that power; as amicable, the power next beyond his *natural* foe; and as neutral, the powers beyond that *circle*:

159. 'All those *powers* let him render subservient to his

interest by mild measures and the other *three* expedients *before mentioned,* either separate or united, but principally by valour and policy *in arms and negotiation.*

160. 'Let him constantly deliberate on the fix measures of a military prince, *namely,* waging war, and making peace or alliance, marching to battle, and sitting encamped, distributing his forces, and seeking the protection of a more powerful monarch:

161. 'Having considered the posture of affairs, let him occasionally apply to it the measure of sitting inactive, or of marching to action, of peace, or of war, of dividing his force, or of seeking protection.

162. 'A king must know, that there are two sorts of alliance and war; two, of remaining encamped, and of marching; two, likewise, of dividing his army, and of obtaining protection from another power.

163. 'The two sorts of alliance, attended with present and future advantages, are held to be those, when he acts in conjunction with his ally, and when he acts apart from him.

164. 'War is declared to be of two sorts; when it is waged for an injury to himself, and when it is waged for an injury to his ally, with a view to harass the enemy both in season and out of season.

165. 'Marching is of two sorts, when destructive acts are done at his own pleasure by himself apart, or when his ally attends him.

166. 'The two sorts of sitting encamped are, *first,* when he has been gradually weakened by the divine power, or by the

operation of past sins, and, *secondly*, when to favour his ally, he remains in his camp.

167. 'A detachment commanded by the king in person, and a detachment commanded by a general officer, for the purpose of carrying some important point, are declared by those, who well know the fix measures, to be the two modes of dividing his army.

168. 'The two modes of seeking protection, that his powerful support may be proclaimed in all countries, are, *first*, when he wishes to be secure from apprehended injury, and, *next*, when his enemies actually assail him.

169. 'When the king knows with certainty, that at some future time his forces will be greatly augmented, and when, at the time present, he sustains little injury, let him then have recourse to peaceful measures;

170. 'But, when he sees all his subjects considerably firm in strength, and feels himself highly exalted in power, let him protect his dominions by war.

171. 'When he perfectly knows his own troops to be cheerful and well supplied, and those of his enemy quite the reverse, let him eagerly march against his foes;

172. 'But, when he finds himself weak in beasts of burden and in troops, let him then sit quiet in camp, using great attention, and pacifying his enemy by degrees.

173. 'When a king sees his foes stronger in all respects than himself, let him detach a part of his army, *to keep the enemy amused*, and secure his own safety *in an inaccessible place;*

174. 'But, when he is in all places assailable by the hostile

troops, let him speedily seek the protection of a just and powerful monarch.

175. 'Him, who can keep in subjection both his own subjects and his foes, let him constantly sooth by all sorts of attentive respect, as he would honour his father, natural or spiritual.

176. 'But if, even in that situation, he find such protection a cause of evil, let him alone, though weak, wage vigorous war without fear.

177. 'By all these expedients let a politick prince act with such wisdom, that neither allies, neutral powers, nor foes, may gain over him any great advantage.

178. 'Perfectly let him consider the state of his kingdom both actually present and probably future, with the good and bad parts of all his actions:

179. 'That king shall never be overcome by his enemies, who foresees the good and evil to ensue from his measures; who, on present occasions, takes his resolution with prudent speed, and who weighs the various events of his past conduct.

180. 'Let him so arrange all his affairs, that no ally, neutral prince, or enemy, may obtain any advantage over him: this, in few words, is the sum of political wisdom.

181. 'When the king begins his march against the domains of his foe, let him gradually advance, in the following manner, against the hostile metropolis.

182. 'Let him set out on his expedition in the fine month of *Margasirsha*, or about the month of *Phalguna* and *Chaitra*, according to *the number of* his forces, *that he may find autumnal or vernal crops in the country invaded by him:*

183. 'Even in other seasons, when he has a clear prospect of victory, and when any disaster has befallen his foe, let him advance with the greater part of his army.

184. 'Having made a due arrangement of affairs in his own dominions, and a disposition fit for his enterprise, having provided all things necessary for his continuance in the foreign realm, and having seen all his spies dispatched with propriety,

185. 'Having secured the three sort of ways, *over water, on plains, and through forests,* and placed his sixfold army, *elephants, cavalry, cars, infantry, officers,* and *attendants,* in complete military form, let him proceed by fit journies toward the metropolis of his enemy.

186. 'Let him be much on his guard against every secret friend in the service of the hostile prince, and against emissaries, who go and return; for in such friends he may find very dangerous foes.

187. 'On his march let him form his troops, either like a staff, *or in an even column*; like a wain, *or in a wedge with the apex foremost;* like a boar, *or in a rhomb with the van and rear narrow and the centre broad;* like a *Macara or sea monster, that is, in a double triangle with apices joined;* like a needle, *or in a long line*; or like the bird of VISHNU, *that is, in a rhomboid with the wings far extended:*

188. 'From whatever side he apprehends danger, to that side let him extend his troops, and let him always conceal himself in the midst of a squadron formed like a lotos flower.

189. 'Let him cause his generals and the chief commander *under himself* to act in all quarters; and from whatever side he

perceives a design of attacking him, to that side let him turn his front.

190. 'On all sides let him station troops of soldiers, in whom he considers, distinguished by known *colours and other* marks; who are excellent both in sustaining a charge, and in charging, who are fearless and incapable of desertion.

191. 'Let him at his pleasure order a few men to engage in a close phalanx, or a large number of warriors in loose ranks; and, having formed them in *a long line like* a needle, or in *three divisions like* a thunderbolt, let him give orders for battle.

192. 'On a plain, let him with his armed cars and horses; on watery places, with manned boats and elephants; on ground full of trees and shrubs, with bows; on cleared ground, with swords and targets, and *other* weapons.

193. 'Men born in *Curucshétra*, near *Indraprest'ha*, in *Matsya*, or *Virát'a*, in *Panchála* or *Cányacubja*, and in *Súraséna*, in the district of *Mat'hurá*, let him cause to engage in the van; and men, *born in other countries*, who are tall and light.

194. 'Let him, when he has formed his troops in array, encourage them *with short animated speeches*; and then, let him try them completely: let him know likewise, how his men severally exert themselves, while they charge the foe.

195. 'If he block up his enemy, let him fit encamped, and lay waste the hostile country; let him continually spoil the grass, water, and wood of the adverse prince.

196. 'Pools, wells, and trenches let him destroy: let him harass the foe by day, and alarm him by night.

197. 'Let him secretly bring over to his party all such *leaders*

as he can safely bring over ; let him be informed of all, that his enemies are doing ; and when a fortunate moment is offered by heaven, let him give battle, pushing on to conquest and abandoning fear :

198. ' Yet he should be more sedulous to reduce his enemy by negotiation, by well applied gifts, and by creating divisions, using either all or some of those methods, than by hazarding at any time a decisive action,

199. ' Since victory or defeat are not surely foreseen on either side, when two armies engage in the field : let the king then, *if other expedients prevail*, avoid a pitched battle ;

200. ' But, should there be no means of applying the three *before-mentioned* expedients, let him, after due preparation, fight so valiantly, that his enemy may be totally routed.

201. ' HAVING conquered a country, let him respect the deities adored in it, and their virtuous priests ; let him also distribute largesses *to the people*, and cause a full exemption from terrour to be loudly proclaimed.

202. ' When he has perfectly ascertained the conduct and intentions of all the vanquished, let him fix in that country a prince of the royal race, and give him precise instructions.

203. ' Let him establish the laws of the conquered nation as declared *in their books* ; and let him gratify the new prince with gems *and other prcious gifts.*

204. ' The seizure of desirable property, though it cause hatred, and the donation of it, though it cause love, may be laudable or blameable on different occasions :

205. ' All this *conduct of human affairs* is considered as

dependent on acts ascribed to the deity, and on acts ascribed to men ; now the operations of the deity cannot be known by any intenseness of thought, but those of men may be clearly discovered.

206. 'Or the victor, considering an ally, territory, and wealth as the triple fruit of conquest, may form an alliance with the vanquished prince, and proceed in union with him, using diligent circumspection.

207. 'He should pay due attention to the prince, who supported his cause, and to any other prince in the circumjacent region, who checked that supporter, so that, both from a well-wisher and from an opponent, he may secure the fruit of his expedition.

208. 'By gaining wealth and territory a king acquires not so great an increase of strength, as by obtaining a firm ally, who, though weak, may hereafter be powerful.

209. 'That ally, though feeble, is highly estimable, who knows the whole extent of his duties, who gratefully remembers benefits, whose people are satisfied, *or, who has a gentle nature,* who loves his friend, and perseveres in his good resolutions.

210. 'Him have the sages declared an enemy hard to be subdued, who is eminently learned, of a noble race, personally brave, dextrous in management, liberal, grateful, and firm.

211. 'Goodnature, knowledge of mankind, valour, benignity of heart, and incessant liberality, are the assemblage of virtues, which adorn a neutral prince, *whose amity must be courted.*

212. 'Even a salubrious and fertile country, where cattle continually increase, let a king abandon without hesitation for the sake of preserving himself :

213. 'Against misfortune, let him preserve his wealth; at the expence of his wealth, let him preserve his wife; but let him at all events preserve himself even at the hazard of his wife and riches.

214. 'A wise prince, who finds every sort of calamity rushing violently upon him, should have recourse to all just expedients, united or separate:

215. 'Let him consider the business to be expedited, the expedients collectively, and himself who must apply them; and, taking refuge completely in those three, let him strenuously labour for his own prosperity.

216. 'HAVING consulted with his ministers, in the manner before prescribed, on all this *mass of publick affairs*; having used exercise *becoming a warriour*, and having bathed *after it*, let the king enter at noon his private apartments for the purpose of taking food.

217. 'There let him eat lawful aliment, prepared by servants attached to his person, who know the difference of times and are incapable of perfidy, after it has been proved innocent *by certain experiments*, and hallowed by texts of the *Vé'da* repulsive of poison.

218. 'Together with all his food let him swallow such medical substances as resist venom; and let him constantly wear with attention such gems, as are known to repel it.

219. 'Let his females, well tried and attentive, their dress and ornaments having been examined, *lest some weapon should be concealed in them*, do him humble service with fans, water, and perfumes:

220. 'Thus let him take diligent care, when he goes out in a carriage or on horseback, when he lies down to rest, when he sits, when he takes food, when he bathes, anoints his body *with odorous essences*, and puts on all his habiliments.

221. 'After eating, let him divert himself with his women in the recesses of his palace; and, having idled a reasonable time, let him again think of publick affairs:

222. 'When he has dressed himself completely, let him once more review his armed men, with all their elephants, horses, and cars, their accoutrements, and weapons.

223. 'At sunset, having performed his religious duty, let him privately, but well armed, in his interior apartment, hear what has been done by his reporters and emissaries:

224. 'Then, having dismissed those informers, and returning to another secret chamber, let him go, attended by women, to the inmost recess of his mansion for the sake of the evening meal;

225. 'There, having a second time eaten a little, and having been recreated with musical strains, let him take rest early, and rise refreshed from his labour.

226. 'THIS perfect system of rules let a king, free from illness, observe; but, when really afflicted with disease, he may intrust all these affairs to his officers.'

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CHAPTER THE EIGHTH.

On Judicature ; and on Law, Private and Criminal.

1. 'A KING, desirous of inspecting judicial proceedings, must enter his court of justice, composed and sedate in his demeanour, together with *Bra'hmens* and counsellors, who know how to give him advice :

2. 'There, either sitting or standing, holding forth his right arm, without ostentation in his dress and ornaments, let him examine the affairs of litigant parties.

3. 'Each day let him decide causes, one after another, under the eighteen *principal* titles of law, by arguments and rules drawn from local usages, and from written codes :

4. 'Of those *titles*, the first is debt, on loans for consumption ; *the second*, deposits, and loans for use ; *the third*, sale without ownership ; *the fourth*, concerns among partners ; *the fifth*, subtraction of what has been given ;

5. '*The sixth*, nonpayment of wages or hire ; *the seventh*, nonperformance of agreements ; *the eighth*, rescission of sale and purchase ; *the ninth*, disputes between master and servant ;

6. '*The tenth*, contests on boundaries ; *the eleventh and twelfth*, assault and slander ; *the thirteenth*, larceny ; *the fourteenth*, robbery and other violence ; *the fifteenth*, adultery ;

7. '*The sixteenth*, altercation between man and wife, and their several duties ; *the seventeenth*, the law of inheritance ; *the eigh-*

teenth, gaming with dice and with living creatures: these eighteen titles of law are settled as the groundwork of all judicial procedure in this world.

8. 'Among men, who contend for the most part on the titles just mentioned, *and on a few miscellaneous heads not comprised under them,* let the king decide causes justly, observing primeval law;

9. 'But, when he cannot inspect such affairs in person, let him appoint, for the inspection of them, a *Bra'hmen* of eminent learning:

10. 'Let that chief judge, accompanied by three assessors, fully consider all causes brought before the king, and, having entered the courtroom, let him sit or stand, *but not move backwards and forwards.*

11. 'In whatever country three *Bra'hmens,* particularly skilled in the three several *Ve'das,* sit together with the very learned *Bra'hmen* appointed by the king, the wise call that *assembly* the court of BRAHMA' *with four faces.*

12. 'WHEN justice, having been wounded by iniquity, approaches the court, and the judges extract not the dart, they also shall be wounded by it.

13. 'Either the court must not be entered *by judges, parties, and witnesses,* or law and truth must be openly declared: that man is criminal, who either says nothing, or says what is false or unjust.

14. 'Where justice is destroyed by iniquity, and truth by false evidence, the judges, who basely look on *without giving redress,* shall also be destroyed.

15. ‘ Justice, being destroyed, will destroy ; being preserved, will preserve : it must never, therefore, be violated. “ Beware, *O judge*, lest justice, being overturned, overturn *both* us *and thyself*.”

16. ‘ The divine form of justice is represented as *Vrí'sha*, or *a bull*, and the gods consider him, who violates justice, as a *Vrí'shala*, or one who slays a bull : let the king, therefore, and his judges beware of violating justice.

17. ‘ The only firm friend, who follows men even after death, is justice : all others are extinct with the body.

18. ‘ Of injustice *in decisions*, one quarter falls on the party in the cause ; one quarter, on his witnesses ; one quarter, on all the judges ; and one quarter on the king ;

19. ‘ But where he, who deserves condemnation, shall be condemned, the king is guiltless, and the judges free from blame : an evil deed shall recoil on him, who committed it.

20. ‘ A *Bra'hmen* supported only by his class, and one barely reputed a *Bra'hmen*, but without performing any sacerdotal acts, may, at the king’s pleasure, interpret the law to him : *so may the middle classes ;* but a *Su'dra*, in no case whatever.

21. ‘ Of that king, who stupidly looks on, while a *Su'dra* decides causes, the kingdom itself shall be embarrassed, like a cow in deep mire.

22. ‘ The whole territory, which is inhabited by a number of *Su'dras*, overwhelmed with atheists, and deprived of *Bra'hmens*, must speedily perish afflicted with dearth and disease.

23. ‘ Let the king *or his judge*, having seated himself on the bench, his body properly clothed and his mind attentively fixed, begin with doing reverence to the deities, who guard the world ; and then let him enter on the trial of causes :

24. 'Understanding what is expedient or inexpedient, but considering only what is law or not law, let him examine all disputes between parties, in the order of their several classes.

25. 'By external signs let him see through the thoughts of men ; by their voice, colour, countenance, limbs, eyes, and action :

26. From the limbs, the look, the motion of the body, the gesticulation, the speech, the changes of the eye and the face, are discovered the internal workings of the mind.

27. 'The property of a student and of an infant, whether by descent or otherwise, let the king hold in his custody, until the owner shall have ended his studentship, or until his infancy shall have ceased *in his sixteenth year* :

28. 'Equal care must be taken of barren women, of women without kindred, or whose husbands are in distant places, of widows true to their lords, and of women afflicted with illness.

29. 'Such kinsmen, as, *by any pretence*, appropriate the fortunes of women during their lives, a just king must punish with the severity due to thieves.

30. Three years let the king detain the property of which no owner appears, *after a distinct proclamation :* the owner, appearing within the three years, may take it ; but, after that term, the king may confiscate it.

31. 'He, who says "This is mine," must be duly examined ; and if, *before he inspect it*, he declare its form, number, and other circumstances, the owner must have his property ;

32. 'But, if he show not at what place and time it was lost, and specify not its colour, shape, and dimensions, he ought to be amerced

33. 'The king may take a sixth part of the property so detained by him, or a tenth, or a twelfth, remembering the duty of good kings.

34. 'Property lost *by one man*, and sound *by another*, let the king secure, by committing it to the care of trustworthy men; and those, whom he shall convict of stealing it, let him cause to be trampled on by an elephant.

35. 'From the man, who shall say with truth, "This property, which has been kept, belongs to me," the king may take a sixth or twelfth part, *for having secured it;*

36. 'But he, shall say so falsely, may be fined either an eighth part of his own property, or else in some small proportion to the value of the goods falsely claimed, a just calculation having been made.

37. 'A learned *Bra'hmen*, having found a treasure formerly hidden, may take it without any deduction; since he is the lord of all;

38. 'But of a treasure anciently reposited under ground, which *any other subject or* the king has discovered, the king may lay up half in his treasury, having given half to the *Bra'hmens.*

39. 'Of old hoards, and precious minerals in the earth, the king is entitled to half by reason of his general protection, and because he is the lord paramount of the soil.

40. 'To men of all classes, the king must restore their property, which robbers have seized; since a king, who takes it for himself, incurs the guilt of a robber.

41. 'A king, who knows the revealed law, must enquire into the particular laws of classes, the laws *or usages* of districts, the

customs of traders, and the rules of certain families, and establish their peculiar laws, *if they be not repugnant to the law of* GOD ;

42. ' Since all men, who mind their own customary ways of proceeding, and are fixed in the discharge of their several duties, become united by affection with the people at large, even though they dwell far asunder.

43. ' Neither the king himself nor his officers must ever promote litigation ; nor ever neglect a lawsuit instituted by others.

44. ' As a hunter traces the lair of a *wounded* beast by the drops of blood ; thus let a king investigate the true point of justice by deliberate arguments :

45. ' Let him fully consider the nature of truth, the state of the case, and his own person ; and, next, the witnesses, the place, the mode, and the time ; firmly adhering to all the rules of practice :

46. ' What has been practised by good men and by virtuous *Bra'hmens,* if it be not inconsistent with the legal customs of provinces or districts, of classes and families, let him establish.

47. ' WHEN a creditor sues before him for the recovery of his right from a debtor, let him cause the debtor to pay what the creditor shall prove due.

48. ' By whatever lawful means a creditor may have gotten possession of his own property, let the king ratify such payment by the debtor, though obtained even by compulsory means :

49. ' By the mediation of friends, by suit in court, by artful management, or by distress, a creditor may recover the property lent ; and, fifthly, by legal force.

50. ' That creditor, who recovers his right from his debtor, must not be rebuked by the king for retaking his own property.

51. 'In a suit for a debt, which the defendant denies, let him award payment to the creditor of what, by good evidence, he shall prove due, and exact a small fine, *according to the circumstances of the debtor.*

52. 'On the denial of a debt, which the defendant has in court been required to pay, the plaintiff must call a witness who was present at the place of the loan, or produce other evidence, *as a note and the like.*

53. 'The plaintiff, who calls a witness not present at the place, *where the contract was made,* or, having knowingly called him, disclaims him as witness; or who perceives not, that he asserts confused and contradictory facts;

54. 'Or who, having stated what he designs to prove, varies afterwards from his case; or who, being questioned on a fact which he had before admitted, refuses to acknowledge that very fact;

55 'Or who has conversed with the witnesses in a place unfit for such conversation; or who declines answering a question properly put; or who departs from the court;

56. 'Or who, being ordered to speak, stands mute; or who proves not what he has alledged; or who knows not what is capable or incapable of proof; *such a plaintiff* shall fail in that suit.

57. 'Him, who has said, "I have witnesses," and, being told to produce them, produces them not, the judge must on this account declare nonsuited.

58. 'If the plaintiff delay to put in his plaint, he may, *according to the nature of the case,* be corporally punished or

justly amerced ; and, if the defendant plead not within three fortnights, he is by law condemned.

59. ' In the double of that sum, which the defendant falsely denies, or on which the complainant falsely declares, shall those two men, wilfully offending against justice, be fined by the king.

60. ' When a man has been brought into court by a suitor for property, and, being called on to answer, denies the debt, the cause should be decided by the *Bra'hmen* who represents the king, having heard three witnesses at least.

61. ' WHAT sort of witnesses must be produced by creditors *and others* on the trial of causes, I will comprehensively declare ; and in what manner those witnesses must give true evidence.

62. ' Married housekeepers, men with male issue, inhabitants of the same district, either of the military, the commercial, or the servile class, are competent, when called by the party, to give their evidence ; not any persons indiscriminately, except in *such* cases of urgency *as will soon be mentioned.*

63. ' Just and sensible men of all the *four* classes may be witnesses on trials ; men, who know their whole duty, and are free from covetousness ; but men of an opposite character the judge must reject.

64. ' Those must not be admitted who have a pecuniary interest ; nor familiar friends ; nor menial servants ; nor enemies ; nor men formerly perjured ; nor persons grievously diseased ; nor those, who have committed heinous offences.

65. ' The king cannot be made a witness ; nor *cooks, and the like* mean artificers ; nor publick dancers and singers ; nor a priest of deep learning in scripture ; nor a student in theology ; nor an anchoret secluded from all worldly connexions ;

66. 'Nor one wholly dependent; nor one of bad fame; nor one, who follows a cruel occupation; nor one, who acts openly against the law; nor a decrepit old man; nor a child; nor one man only, *unless he be distinguished for virtue*; nor a wretch of the lowest mixed class; nor one, who has lost the organs of sense;

67. 'Nor one extremely grieved; nor one intoxicated; nor a madman; nor one tormented with hunger or thirst; nor one oppressed by fatigue; nor one excited by lust; nor one inflamed by wrath; nor one who has been convicted of theft.

68. 'Women should regularly be witnesses for women; twice-born men, for men alike twiceborn; good servants and mechanicks, for servants and mechanicks; and those of the lowest race, for those of the lowest;

69. 'But any person whatever, who has positive knowledge *of transactions* in the private apartments of a house, or in a forest, or at a time of death, may give evidence between the parties:

70. 'On failure *of witnesses duly qualified*, evidence may *in such cases* be given by a woman, by a child, or by an aged man, by a pupil, by a kinsman, by a slave, or by a hired servant:

71. Yet of children, of old men, and of the diseased, who are all apt to speak untruly, the judge must consider the testimony as weak; and, *much more*, that of men with disordered minds:

72. 'In all cases of violence, of theft and adultery, of defamation and assault, he must not examine too strictly the competence of witnesses.

73. 'If there be contradictory evidence, let the king decide by the plurality of credible witnesses; if equality in number,

by superiority in virtue ; if parity in virtue, by the testimony of such twiceborn men, as have best performed publick duties.

74. ' Evidence of what has been seen, or of what has been heard, *as slander and the like,* given by those who saw or heard it, is admissible ; and a witness, who speaks truth in those cases, neither deviates from virtue nor loses his wealth :

75. ' But a witness, who knowingly says any thing, before an assembly of good men, different from what he had seen or heard shall fall headlong, after death, into a region of horrour, and be debarred from heaven.

76. ' When a man sees or hears any thing, without being then called upon to attest it, yet, if he be *afterwards* examined as a witness, he must declare it, exactly as *it was* seen, *and* as *it was* heard.

77. ' One man, untainted with covetousness *and other vices,* may *in some cases* be the sole witness, and will have more weight than many women, because female understandings are apt to waver ; or than many other men, who have been tarnished with crimes.

78. ' What witnesses declare naturally, *or without bias,* must be received on trials ; but what they improperly say, from some unnatural bent, is inapplicable to the purposes of justice.

79. ' The witnesses being assembled in the middle of the courtroom, in the presence of the plaintiff and the defendant, let the judge examine them, after having addressed them *all together* in the following manner :

80. " What ye know to have been transacted in the matter before us, between the parties reciprocally, declare at large and with truth ; for your evidence in this cause is required."

81. 'A witness, who gives testimony with truth, shall attain exalted seats of beatitude above, and the highest fame here below: such testimony is revered by BRAHMA' himself.

82. 'The witness, who speaks falsely, shall be fast bound *under water*, in the *snaky* cords of VARUNA, and be wholly deprived of power *to escape torment* during a hundred transmigrations: let mankind, therefore, give on false testimony.

83. 'By truth is a witness cleared from sin; by truth is justice advanced: truth must, therefore, be spoken by witnesses of every class.

84. 'The soul itself is its own witness; the soul itself is its own refuge: offend not thy couscious soul, the supreme internal witness of men!

85. 'The sinful have said in their hearts: "None sees us." Yes; the gods distinctly see them; and so does the spirit within their breasts.

86. 'The guardian deities of the firmament, of the earth, of the waters, of the human heart, of the moon, of the sun, and of fire, of punishment after death, of the winds, of night, of both twilights, and of justice, perfectly know the state of all spirits clothed with bodies.

87. 'In the forenoon let the judge, being purified, severally call on the twiceborn, being purified also, to declare the truth, in the presence of *some image a symbol* of the divinity, and of *Bra'hmens*, while the witnesses turn their faces either to the north or to the east.

88. 'To a *Bra'hmen* he must begin with saying, "Declare;" to a *Cshatriya*, with saying, "Declare the truth;" to a *Vaisya*,

with comparing perjury to the crime of stealing kine, grain, or gold ; to a *Sudra*, with comparing it *in some or all of the following sentences*, to every crime, that men can commit.

89. "WHATEVER places of torture have been prepared for the slayer of a priest, for the murderer of a woman or of a child, for the injurer of a friend, and for an ungrateful man, those places are ordained for a witness, who gives false evidence.

90. "The fruit of every virtuous act, which thou hast done, O good man, since thy birth, shall depart from thee to dogs, if thou deviate in speech from the truth.

91. "O friend to virtue, that supreme spirit, which thou believest one and the same with thyself, resides in thy bosom perpetually, and is an allknowing inspector of thy goodness or of thy wickedness.

92. "If thou beest not at variance, *by speaking falsely*, with YAMA, or the subduer of all, with VAIVASWATA, or the punisher, with that great divinity, who dwells in thy breast, go not *on a pilgrimage* to the river *Ganga*, nor to the plains of CURU, *for thou hast no need of expiation.*

93. "Naked and shorn, tormented with hunger and thirst, and deprived of sight, shall the man, who gives false evidence, go with a potsherd to beg food at the door of his enemy.

94. "Headlong, in utter darkness, shall the impious wretch tumble into hell, who, being interrogated in a judicial inquiry, answers one question falsely.

95. "He, who in a court of justice gives an imperfect account of any transaction, or asserts a fact of which he was no eyewitness, shall receive pain *instead of pleasure*, and resemble

a man, who eats fish *with eagerness* and swallows the sharp bones.

96. " The gods are acquainted with no better mortal in this world, than the man, of whom the intelligent spirit, which pervades his body, has no distrust, when he prepares to give evidence.

97. " Hear, honest man, from a just enumeration in order, how many kinsmen, in evidence of different sorts, a false witness kills, *or incurs the guilt of killing* :

98. " He kills five by false testimony concerning cattle in general ; he kills ten by false testimony concerning kine ; he kills a hundred by false evidence concerning horses, and a thousand by false evidence concerning the human race :

99. " By speaking falsely in a cause concerning gold, he kills the born and the unborn ; by speaking falsely concerning land, he kills every thing animated : beware then of speaking falsely in a cause concerning land !

100. " The sages have held false evidence concerning water, and the possession or enjoyment of women, equal to false evidence concerning land ; and it is equally criminal in causes concerning *pearls and other* precious things formed in water, and concerning all things made of stone.

101. " Marking well all the murders, which are comprehended in the crime of perjury, declare thou the whole truth with precision, as *it was* heard, *and* as *it was* seen by thee. "

102. ' *Bráhmens*, who tend herds of cattle, who trade, who practise mechanical arts, who profess dancing and singing, who are hired servants or usurers, let the judge exhort and examine as if they were *Súdras*.

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103. 'In some cases, a giver of false evidence from a pious motive, even though he know the truth, shall not lose a seat in heaven : such evidence wise men call the speech of the gods.

104. 'Whenever the death of a man, *who had not been a grievous offender*, either of the servile, the commercial, the military, or the sacerdotal class, would be occasioned by true evidence, *from the known rigour of the king, even though the fault arose from inadvertence or errour*, falsehood may be spoken : it is even preferable to truth.

105. 'Such *witnesses* must offer, as oblations to SARASWATI', cakes of rice and milk addressed to the goddess of speech ; and thus will they fully expiate that venial sin of benevolent falsehood :

106. 'Or such a *witness* may pour clarified butter into the holy fire, according to the sacred rule, hallowing it with the texts called *cúshmá'ndá'*, or with those which relate to VARUNA, beginning with *ud*; or with the three texts appropriated to the water-gods.

107. 'A MAN, who labours not under illness, yet comes not to give evidence in cases of loans and the like, within three fortnights *after due summons*, shall take upon himself the whole debt, and pay a tenth part of it as a fine *to the king*.

108. 'The witness, who has given evidence, and to whom, within seven days after, *a misfortune* happens *from* disease, fire, or the death of a kinsman, shall be condemned to pay the debt and a fine.

109. 'In cases, where no witness can be had, between two parties opposing each other, the judge may acquire a knowledge

of the truth by the oath of the parties; *or* if he cannot *otherwise* perfectly ascertain it.

110. 'By the *seven* great *Rishis*, and by the deities themselves, have oaths been taken for the purpose of judicial proof; and even VASISHT'HA, *being accused by* VISWA'MITRA *of murder*, took an oath before the *king* SUDA'MAN, son of PIYAVANA.

111. 'Let no man of sense take an oath in vain, *that is, not in a court of justice*, on a trifling occasion; for the man, who takes an oath in vain, shall be punished in this life and in the next:

112. 'To women, however, at a time of dalliance, or on a proposal of marriage, in the case of grass or fruit eaten by a cow, of wood taken for a sacrifice, or of a promise made for the preservation of a *Bra'hmen*, it is no deadly sin to take a light oath.

113. 'Let the judge cause a priest to swear by his veracity; a soldier, by his horse, or elephant, and his weapons; a merchant, by his kine, grain, and gold; a mechanick or servile man, by *imprecating on his own head, if he speak falsely*, all possible crimes;

114. 'Or, *on great occasions*, let him cause the party to hold fire, or to dive under water, or severally to touch the heads of his children and wife:

115. 'He, whom the blazing fire burns not, whom the water soon forces not up, or who meets with no speedy misfortune, must be held veracious in his testimony on oath.

116. 'Of the sage VATSA, whom his younger *half* brother formerly attacked, *as the son of a servile woman*, the fire, which pervades the world, burned not even a hair, by reason of his perfect veracity.

117. 'WHENEVER false evidence has been given in any suit, the king must reverse the judgment ; and whatever has been done, must be considered as undone.

118. 'Evidence, given from covetousness, from distraction of mind, from terrour, from friendship, from lust, from wrath, from ignorance, and from inattention, must be held invalid.

119. 'THE distinctions of punishment for a false witness, from either of those motives, I will now propound fully and in order :

120. 'If he speak falsely through covetousness, he shall be fined a thousand *panas* ; if through distraction of mind, *two hundred and fifty, or* the lowest amercement ; if through terrour, two mean amercements ; if through friendship, four times the lowest ;

121. 'If through lust, ten times the lowest amercement ; if through wrath, three times the next, *or middlemost* ; if through ignorance, two hundred complete ; if, through inattention, a hundred only.

122. 'Learned men have specified these punishments, *which were* ordained by sage legislators for perjured witnesses, with a view to prevent a failure of justice and to restrain iniquity.

123. 'Let a just prince banish men of the three *lower* classes, if they give false evidence, having first levied the fine ; but a *Bra'hmen*, let him only banish.

124. 'MENU, son of the Selfexistent, has named ten places of punishment, which are appropriated to the three *lower* classes ; but a *Bra'hmen* must depart from the realm unhurt *in any one of them* :

125. ‘ The part of generation, the belly, the tongue, the two hands, and, fifthly, the two feet, the eye, the nose, both ears, the property, and, *in a capital case*, the whole body.

126. ‘ Let the king, having considered and ascertained the frequency of a similar offence, the place and time, the ability of the criminal *to pay or suffer*, and the crime itself, cause punishment to fall on those alone, who deserve it.

127. ‘ Unjust punishment destroys reputation during life, and fame after death ; it even obstructs, in the next life, the path to heaven : unjust punishment, therefore, let the king by all means avoid.

128. ‘ A king who inflicts punishment on such as deserve it not, and inflicts no punishment on such as deserve it, brings infamy on himself, while he lives, and shall sink, when he dies, to a region of torment.

129. ‘ First, let him punish by gentle admonition; afterwards, by harsh reproof; thirdly, by deprivation of property ; after that, by corporal pain:

130. ‘ But, when even by corporal punishment he cannot restrain such offenders, let him apply to them all the four modes with rigour.

131. ‘ Those names of copper, silver, and gold weights, which are commonly used among men, for the purpose of worldly business, I will now comprehensively explain.

132. ‘ The very small mote, which may be discerned in a sunbeam passing through a lattice, is the least visible quantity, and men call it a *trasaréṇu* :

133. ‘ Eight of those *trasaréṇus* are supposed equal in weight

to one minute poppyseed; three of those are equal to one black mustardseed; and three of those, last to a white mustardseed :

134. ' Six white mustardseeds are equal to a middle sized barleycorn; three such barleycorns to one *ractica'*, or seed of the *Gunja'* ; five *racticas* of gold are one *ma'sha,* and sixteen such *ma'shas,* one *suverna;*

135. ' Four *suvernas* make a *pala ;* ten *palas,* a *dharana* ; but two *racticas* of silver, weighed together, are considered as one *ma'shaca;*

136. ' Sixteen of those *ma'shacas* are a silver *dharana,* or *pura'na* ; but a *carsha, or* eighty *racticas,* of copper, is called a *pana* or *ca'rsha'pana.*

137. ' Ten *dharanas* of silver are known by the name of a *satama'na;* and the weight of four *suvernas* has also the appellation of a *nishca.*

138. ' Now two hundred and fifty *panas* are declared to be the first *or lowest* amercement; five hundred of them are considered as the mean; and a thousand, as the highest.

139. ' A DEBT being admitted by the defendant, he must pay five in the hundred, *as a fine to the king;* but if it be denied *and proved,* twice as much: this law was enacted by MENU.

140. ' A LENDER of money may take, in addition to his capital, the interest allowed by VASISHT'HA, *that is,* an eightieth part of a hundred, *or one* and a *quarter,* by the month, *if he have a pledge;*

141. ' Or, *if he have no pledge,* he may take two in the hundred by the *month,* remembering the duty of good men : for, by *thus* taking two in the hundred, he becomes not a sinner for gain.

142. 'He may thus take, *in proportion to the risk*, and in the direct order of the classes, two in the hundred *from a priest*, three *from a soldier*, four *from a merchant*, and five *from a mechanic* kno *servile man, but* never more, as interest by the month.

143. 'If he take a beneficial pledge, *or a pledge to be used for his profit*, he must have no other interest on the loan; nor, after a great length of time, *or when the profits have amounted to the debt*, can he give or sell such a pledge, *though he may assign it in pledge to another.*

144. 'A pledge to *be kept only* must not be used by force, *that is against consent:* the pawnee so using it must give up his whole interest, or must satisfy the pawner, *if it be spoiled or worn out, by* paying him the original price of it; otherwise, he commits a theft of the pawn.

147. 'In general, whatever chattel the owner sees enjoyed by others for ten years, while, though present, he says nothing, that chattel he shall not recover:

148. 'If he be neither an idiot, nor an infant under the full age of fifteen years, and if the chattel be adversely possessed in a place, where he may see it, his property in it is extinct by law, and the adverse possessor shall keep it.

145. 'Neither a pledge *without limit*, nor a deposit, are lost to the owner by lapse of time: they are both recoverable though they have long remained with the bailee.

146. 'A milch cow, a camel, a riding horse, *a bull or other beast*, which has been sent to be tamed for labour, and other things used with friendly assent, are not lost, *by length* of *time* to the owner.

149. 'A pledge, a boundary of land, the property of an infant, a deposit either open or in a chest sealed, female slaves, the wealth of a king, and of a learned *Bra'hmen*, are not lost in consequence of adverse enjoyment.

150. 'The fool, who secretly uses a pledge without, *though not against*, the assent of the owner, shall give up half of his interest, as a compensation for such use.

151. 'INTEREST on money, received at once, *not month by month, or day by day, as it ought*, must never be more than enough to double the debt, *that is more than the amount of the principal paid at the same time:* on grain, on fruit, on wool or hair, on beast of burden, *lent to be paid in the same kind of equal value*, it must not be more than enough to make the debt quintuple.

152. 'Stipulated interest beyond the legal rate, and different from the *preceding* rule, is invalid ; and the wise call it an usurous way *of lending* : the lender is entitled *at most* to five in the hundred.

153. 'Let no lender *for a month, or for two or three months, at a certain interest*, receive *such* interest beyond the year ; nor any interest, which is unapproved; nor interest upon interest *by previous agreement* ; nor monthly interest exceeding in time the amount of the principal ; nor interest exacted from a debtor *as the price of the risk, when there is no publick danger or distress* ; nor immoderate profits from a pledge to be used by way of interest.

154. 'He, who cannot pay the debt *at the fixed time*, and wishes to renew the contract, may renew it in writing, *with the creditor's assent*, if he pay all the interest then due;

155. 'But if, *by some unavoidable accident*, he cannot pay the whole interest, he may insert *as principal* in the renewed contract so much of the interest accrued as he ought to pay.

156. 'A lender at interest on *the risk of* safe carriage, who has agreed on the place and time, shall not receive such interest, if *by accident* the goods are not carried to the place, or within the time:

157. 'Whatever interest, *or price of the risk*, shall be settled *between the parties*, by men well acquainted with sea voyages or journies by land, with times and with places, such interest shall have legal force.

158. 'THE man, who becomes surety for the appearance of a debtor in this world, and produces him not, shall pay the debt out of his own property;

159. 'But money, due by a surety, or idly promised to *musicians and actresses*, or lost at play, or due for spirituous liquors, or what remains unpaid of a fine or toll, the son *of the surety or debtor* shall not *in general* be obliged to pay:

160. 'Such is the rule in cases of a surety for appearance *or good behaviour*; but, if a surety for payment should die, the judge may compel even his heirs to discharge the debt.

161. 'On what account then is it, that, after the death of a surety other than for payment, the creditor may *in one case* demand the debt *of the heir*, all the affairs of the deceased being known and proved?

162. 'If the surety had received money from the debtor, and had enough to pay the debt, the son of him, who so received it, shall discharge the debt out of his *inherited* property: this is a sacred ordinance.

163. 'A contract made by a person intoxicated or insane, or grievously disordered, or wholly dependent, by an infant or a decrepit old man, or *in the name of another* by a person without authority, is utterly null.

164. 'That plaint can have no effect, though it may be supported by evidence, which contains a cause of action inconsistent with positive law or with settled usage.

165. 'When the judge discovers a fraudulent pledge or sale, a fraudulent gift and acceptance, or in whatever other case he detects fraud, let him annul the whole transaction.

166 'If the debtor be dead, and if the money borrowed was expended for the use of his family, it must be paid by that family, divided or undivided, out of their own estate.

167. 'Should even a slave make a contract *in the name of his absent master* for the behoof of the family, that master whether in his own country or abroad, shall not rescind it.

168. 'What is given by force to *a man who cannot accept it legally*, what is by force enjoyed, by force caused to be written, and all other things done by force *or against free consent*, MENU has pronounced void.

169. 'Three are troubled by means of others, *namely* witnesses, sureties, and inspectors of causes, and four collect wealth slowly, with benefit to others, a *Bra'hmen*, a moneylender, a merchant, and a king.

170. 'Let no king, how indigent soever, take any thing, which ought not to be taken; nor let him, how wealthy soever, decline taking that, which he ought to take, be it ever so small :

171. 'By taking what ought not to be taken, and by refusing what ought to be received, the king betrays his own weakness, and is lost both in this world and in the next ;

172. 'But by taking his due by administering justice, and by protecting the weak, the king augments his own force, and is exalted in the next world and in this.

173. 'Therefore, let the king, like YAMA, resigning what may be pleasing or unpleasing to himself, live by the strict YAMA, his anger being repressed, and his organs kept in rules of subjection.

174. 'That evilminded king, who, through infatuation, decides causes with injustice, his enemies *through the disaffection of his people*, quickly reduce to a state of dependence;

175. 'But him, who subduing both lust and wrath, examines causes with justice, his people naturally seek, as rivers the ocean.

176. 'THE debtor, who complains before the king, that his creditor has recovered the debt by his own legal act, *as before mentioned*, shall be compelled by the king to pay a quarter of the sum *as a fine*, and the creditor shall be left in possession of his own.

177. 'Even by personal labour shall the debtor pay what is adjudged, if he be of the same class with the creditor, or of a lower; but a debtor of a higher class must pay it *according to his income* by little and little.

178. 'By this system of rules let the king decide, with equal justice, all disputes between men opposing each other, having ascertained the truth by evidence or the oaths of the parties.

179. 'A SENSIBLE man should make a deposit with some person of high birth, and of good morals, well acquainted with law, habitually veracious, having a large family, wealthy and venerable.

180. 'Whatever thing, and in whatever manner, a person shall deposit in the hands of another, the same thing, and in the

same manner, ought to be received back by the owner : as the delivery *was*, so *must be* the receipt.

181. ' He who restores not to depositor, on his request, what has been deposited, may first be tried by the judge *in the following manner*, the depositor himself being absent.

182. ' On failure of witnesses, let the judge actually deposit gold, *or precious things* with the defendant by the artful contrivance of spies, who have passed the age of childhood, and whose persons are engaging :

183. ' Should the defendant restore that deposit in the manner and shape, in which it was bailed *by the spies*, there is nothing in his hands, for which others can justly accuse him ;

184. ' But if he restore not the gold, or *precious things*, as he ought, to those emissaries, let him be apprehended and compelled to pay the value of both deposits : this is a settled rule.

185. ' A deposit, whether sealed up or not, should never be redelivered, while the depositor is alive, to his heir apparent or presumptive : both sorts of deposits, indeed, are extinct, *or cannot* be *demanded by the heir*, if the depositor die, *in that case* ; but not, unless he die, *for, should the heir apparent keep them, the depositor himself may sue the bailee :*

186. ' But, if a depositary by his own free act shall deliver a deposit to the heir of a deceased bailor, he must not be harassed *with claims of a similar kind*, either by the king, or by that heir ;

187. ' And, *if similar claims be made*, the king must decide the questions after friendly admonition, *without having recourse to artifice ;* for, the honest disposition of the man being proved, the judge must proceed with mildness.

188. ‘ Such is the mode of ascertaining the right in all these cases of a deposit : in the case of a deposit sealed up, the bailee shall incur no censure *on the redelivery* unless he have *altered the seal or* taken out something.

189. ‘ If a deposit be seized by thieves, *or destroyed by vermine*, or washed away by water, or consumed by fire, the bailee shall not be obliged to make it good, unless he took part of it for himself.

190. ‘ The defendant, who denies a deposit, and the plaintiff, who asserts it, let the king try by all sorts of expedients, and by the modes of ordeal prescribed in the *Véda*.

191. ‘ He, who restores not a thing really deposited, and he, who demands what he never bailed, shall both, *for a second offence*, be punished as thieves, *if gold, pearls, or the like be demanded ; or, in the case of a trifling demand*, shall pay a fine equal to the value of the thing claimed :

192. ‘ For the first offence, the king should compel a fraudulent depositary, without any distinction between a deposit under seal or open, to pay a fine equal to its value.

193. ‘ That man, who, by false pretences, gets into his hands the goods of another, shall, together with his accomplices, be punished by various degrees of whipping or mutilation, or even by death.

194. ‘ *Regularly*, a deposit should be produced, the same in kind and quantity as it was bailed, by the same and to the same person, by whom and from whom it was received, and before the same company, *who were witnesses to the deposit :* he who produces it in a different manner, ought to be fined ;

195. ‘ But a thing, privately deposited, should be privately restored by and to the person, by and from whom it was received : as the bailment *was, so should be* the delivery, *according to a rule in the* Ve'da.

196. ‘ Thus let the king decide causes concerning a deposit or a friendly loan for use, without showing rigour to the depositary.

197. ‘ Him, who sells the property of another man, without the assent of the owner, the judge shall not admit as a competent witness, but shall treat as a thief, who pretends that he has committed no theft :

198. ‘ If, indeed, he be a near kinsman of the owner, he shall be fined six hundred *panas* ; but, if he be neither his kinsman nor a claimant under him, he commits an offence equal to larceny.

199. ‘ A gift or sale, thus made by any other than the true owner, must, by a settled rule, be considered, in judicial proceedings, as not made.

200. ‘ Where occupation *for a time* shall be proved, but no sort of title shall appear, *the sale cannot be supported* : title, not occupation, is essential to its support ; *and* this rule *also* is fixed.

201. ‘ He, who has received a chattel, by purchase in open market, before a number of men, justly acquires the absolute property, by having paid the price of it, *if he can produce the vendor* ;

202. ‘ But if the vendor be not producible, and the vendee prove the public sale, the latter must be dismissed by the king without punishment ; and the former owner, who lost the chattel, may take it back *on paying the vendee half its value.*

203. 'One commodity, mixed with another, shall never be sold as *unmixed* ; nor a bad commodity, as good ; nor less *than agreed on* ; nor any thing kept at a distance or concealed, *lest some defect in it should be discovered.*

204. 'If, after one damsel has been shown, another be offered to the bridegroom, *who had purchased leave to marry her from her next kinsman*, he may become the husband of both for the same price : this law MENU ordained.

205. 'The kinsman, who gives a damsel in marriage, having first openly told her blemishes, whether she be insane, or disordered with elephantiasis, or defiled by connexion with a man, shall suffer no punishment.

206. 'IF an officiating priest, actually engaged in a sacrifice, abandon his work, a share only, in proportion to his work done, shall be given to him by his partners in the business, *out of their common pay :*

207. 'But, if he discontinue his work *without fraud*, after the time of giving the sacrificial fees, he may take his full share, and cause what remains to be performed by another priest.

208. 'Where, on the performance of solemn rites, a specifick fee is ordained for each part of them, shall he alone, who performs that part, receive the fee, or shall all the priests take the perquisites jointly ?

209. '*At some holy rites*, let the reader of the *Yajurvéda* take the car, and the *Brahmá*, or superintending priest, the horse ; or, *on another occasion*, let the reader of the *Rigvéda* take the horse, and the chanter of the *Sámavéda* receive the carriage, in which the purchased materials of the sacrifice had been brought.

210. ' *A hundred cows being distributable among sixteen priests,* the four chief, *or first set,* are entitled to *near* half, *or forty-eight ;* the next four, to half of that number ; the third set, to a third part of it ; and the fourth set, to a quarter :

211. ' According to this rule, *or in proportion to the work,* must allotments of shares be given to men here below, who *though* in conjunction, perform their several parts of the business.

212. ' SHOULD money or goods be given, *or promised as a gift,* by one man to another, who asks it for some religous act, the gift shall be void, if that act be not afterwards performed :

213. ' If the money be delivered, and the receiver, through pride or avarice, refuse *in that case* to return it, he shall be fined one *suverna* by the king, as a punishment for his theft.

214. ' Such, as here declared, is the rule ordained for withdrawing what has been given : I will, next, propound the law for nonpayment of wages.

215. ' THAT hired servant or workman, who, not from any disorder but from indolence, fails to perform his work according to his agreement, shall be fined eight *racticas,* and his wages or hire shall not be paid.

216. ' But, if he be really ill, and, when restored to health, shall perform his work according to his original bargain, he shall receive his pay even for a very long time :

217. ' Yet, whether he be sick or well, if the work stipulated be not performed *by another for him or by himself,* his whole wages are forfeited, though the work want but a little of being complete.

218. ' This is the general rule concerning work undertaken

for wages or hire : next, I will fully declare the law concerning such men as break their promises.

219. 'THE man, among the traders and other inhabitants of a town or district, who breaks a promise through avarice, though he had taken an oath to perform it, let the king banish from his realm :

220. 'Or, *according to circumstances*, let the judge, having arrested the promisebreaker, condemn him to pay six *nishcas*, or four *suvernas*, or one *satamána* of silver, or all three *if he deserve such a fine.*

221. 'Among all citizens and in all classes, let a just king observe this rule for imposing fines on men, who shall break their engagements.

222. 'A MAN, who has bought or sold any thing in this world, *that has a fixed price and is not perishable, as land or metals*, and wishes to rescind the contract, may give or take back such a thing within ten days ;

223. 'But, after ten days, he shall neither give nor take it back : the giver or the taker, *except by consent*, shall be fined by the king six hundred *panas.*

224. 'The king himself shall take a fine of ninety-six *panas* from him, who gives a blemished girl *in marriage for a reward*, without avowing her blemish ;

225. 'But the man, who, through malignity, says of a damsel, that she is no virgin, shall be fined a hundred *panas*, if he cannot prove her defilement.

226. 'The holy nuptial texts are applied solely to virgins, and no where on earth to girls, who have lost their virginity ; since those women are *in general* excluded from legal ceremonies :

227. ‘ The nuptial texts are a certain rule in regard to wedlock ; and the bridal contract is known by the learned to be complete *and irrevocable* on the seventh step *of the married pair, hand in hand, after those texts have been pronounced.*

228. ‘ By this law, in all business whatever here below, must the judge confine, within the path of rectitude, a person inclined to rescind his contract of sale and purchase.

229. ‘ I NOW will decide exactly, according to principles of law, the contests usually arising from the fault of such as own herds of cattle, and of such as are hired to keep them.

230. ‘ By day the blame falls on the herdsman ; by night on the owner, *if the cattle be fed and kept* in his own house ; but if the place of their food and custody be different, the keeper incurs the blame.

231. ‘ That hired servant, whose wages are paid with milk, may, with the assent of the owner, milk the best cow out of ten : such are the wages of herdsmen, unless they be paid in a different mode.

232. ‘ The herdsman himself shall make good the loss of a beast, which through his want of due care has been destroyed by reptiles, or killed by dogs, or has died by falling into a pit ;

233. ‘ But he shall not be compelled to make it good, when robbers have carried it away, if after fresh proclamation and pursuit, he give notice to his master in a proper place and season.

234. ‘ When cattle die, let him carry to his master their ears, their hides, their tails, the skin below their navels, their tendons, and the liquor exuding from their foreheads : let him also point out their limbs.

235. 'A flock of goats or of sheep being attacked by wolves, and the keeper not going *to repel the attack*, he shall be responsible for every one of them, which a wolf shall violently kill;

236. 'But, if any one of them, while they graze together near a wood, and the shepherd keeps them in order, shall be suddenly killed by a wolf springing on it, he shall not in that case be responsibe.

237. 'On all sides of a village or small town, let a space be left for pasture, in breadth either four hundred cubits, or three casts of a large stick; and thrice that space round a city or considerable town:

238. 'Within that pasture ground, if cattle do any damage to grain in a field unicnlosed with a hedge, the king shall not punish the herdsman.

239. 'Let the owner of the field enclose it with a hedge *of thorny plants*, over which a camel could not look; and let him stop every gap, through which a dog or a boar could thrust his head.

240. 'Should cattle, attended by a herdsman, do mischief near a highway, in an enclosed field or near the village, he shall be fined a hundred *panas*; but against cattle, which have no keeper, let the owner of the field secure it.

241. 'In other fields, the *owner of* cattle *doing mischief* shall be fined one *pana* and a quarter; but, in all places, the value of the *damaged* grain must be paid: such is the fixed rule concerning a husbandman.

242. 'For damage by a cow before ten days have passed

since her calving, by bulls kept for impregnation, and by cattle consecrated to the deity, whether attended or unattended, MENU has ordained no fine.

243. 'If land be injured, by the fault of the farmer himself, *as if he fails to sow it in due time*, shall be fined ten times as the *king's* share *of the crop, that might otherwise have been raised* ; but only five times as much, if it was the fault of his servants without his knowledge.

244. 'These rules let a just prince observe in all cases of transgression by masters, their cattle, and their herdsmen.

245. 'IF a contest arise between two villages, *or landholders*, concerning a boundary, let the king, *or his judge*, ascertain the limits in the month of *Jyaisht'ha* when the landmarks are seen more distinctly.

246. '*When boundaries first are established*, let strong trees be planted on them, *Vatas, Pippalas, Palá'sas, Sá'lmalis, Sá'las or Tá'las* or such trees (*like the* Udumbara *or* Vajradru) as abound in milk ;

247. 'Or clustering shrubs, or *Vénus* of different sorts, or *Sami*-trees, and creepers, or *Saras*, and clumps of *Cubjacas* : and mounds of earth should be raised on them ; so that the landmark may not easily perish :

248. 'Lakes and wells, pools and streams, ought also to be made on the common limits, and temples dedicated to the gods .

249. 'The persons concerned, reflecting on the perpetual trespasses committed by men here below through ignorance of boundaries, should cause other landmarks to be concealed *under ground* :

250. Large pieces of stone, bones, tails of cows, bran, ashes, potsherds, dried cowdung, bricks and tiles, charcoal, pebbles, and sand,

251. 'And substances of all sorts, which the earth corrodes not even in a long time, should be placed *in jars* not appearing *above ground* on the common boundary.

252. 'By such marks, or by the course of a stream, and long continued possession, the judge may ascertain the limit between the lands of two parties in litigation:

253. 'Should there be a doubt, even on the inspection of those marks, recourse must be had, for the decision of such a contest, to the declarations of witnesses.

254. 'Those witnesses must be examined concerning the landmarks, in the presence of all the townsmen or villagers, or of both the contending parties:

255. What the witnesses, thus assembled and interrogated, shall positively declare concerning the limits, must be recorded in writing, together with all their names.

256. 'Let them, putting earth on their heads, wearing chaplets of red flowers and clad in red mantles, be sworn by *the reward of* all their several good actions, to give correct evidence concerning the metes and bounds.

257. 'Veracious witnesses, who give evidence as the law requires, are absolved from their sins; but such, as give it unjustly, shall each be fined two hundred *panas*.

258. 'If there be no witnesses, let four men who dwell on all the four sides of the two villages, make a decision concerning the boundary, being duly prepared, *like the witnesses*, in the presence of the king.

259. ‘ If there be no such neighbours on all sides, nor any men, whose ancestors had lived there since the villages were built, nor other inhabitants of towns, who can give evidence on the limits, the judge must examine the following men, who inhabit the woods ;

260. ‘ Hunters, fowlers, herdsmen, fishers, diggers for roots, catchers of snakes, gleaners; and other foresters :

261. ‘ According to their declaration, when they are duly examined, let the king with precision order landmarks to be fixed on the boundary line between the two villages.

262. ‘ As to the bounds of arable fields, wells or pools, gardens and houses, the testimony of next neighbours on every side must be considered as the best means of best means of decision :

263. ‘ Should the neighbours say any thing untrue, when two men dispute about a landmark, the king shall make each of those witnesses pay the middlemost of the three usual amercements.

264. ‘ He, who, by means of intimidation, shall possess himself of a house, a pool, a field, or garden, shall be fined five hundred *panas* ; but only two hundred, if he trespassed through ignorance *of the right.*

265. ‘ If the boundary cannot be *otherwise* ascertained, let the king, knowing what is just, *that is, without partiality, and* consulting the future benefit of both parties, mark a boundline between their lands : this is a settled law.

266. ‘ Thus has the rule been propounded for decisions concerning landmarks : I, next, will declare the law concerning defamatory words.

267. 'A SOLDIER, defaming a priest, shall be fined a hundred *panas* ; a merchant, *thus offending*, an hundred and fifty, or two hundred : but, *for such an offence*, a mechanick or servile man shall be whipped.

268. 'A priest shall be fined five hundred, if he slander a soldier ; twenty-five, if a merchant ; and twelve, if he slander a man of the servile class.

269. 'For abusing one of the same class, a twiceborn man shall be fined only twelve ; but for ribaldry not to be uttered, even that *and every fine* shall be doubled.

270. 'A onceborn man, who insults the twiceborn with gross invectives, ought to have his tongue slit ; for he sprang from the lowest part *of* BRAHMA' :

271. 'If he mention their names and classes with contumely, *as if he say* "*Oh ! De'vadatta, thou refuse of* Bra'hmens," an iron style, ten fingers long, shall be thrust redhot into his mouth.

272. 'Should he, through pride give instruction to priests concerning their duty, let the king order some hot oil to be dropped into his mouth and his ear.

273. 'He, who falsely denies, through insolence, the sacred knowledge, the country, the class, or the corporeal investiture *of a man equal in rank*, shall be compelled to pay a fine of two hundred *panas*.

274. 'If a man call another blind with one eye, or lame, or defective in any similar way, he shall pay the small fine of one *pana* even though he speak truth.

275. 'He shall be fined a hundred, who defames his mother, his father, his wife, his brother, his son, or his preceptor ; and he, who gives not his preceptor the way.

276 ' For *mutual* abuse by a priest and a soldier, this fine must be imposed by a learned king ; the lowest amercement on the priest, and the middlemost on the soldier.

277. ' Such exactly *as before mentioned,* must be the punishment of a merchant and a mechanick, in respect of their several classes, except the flitting of the tongue ; this is a fixed rule of punishment.

278 ' THUS fully has the law been declared for the punishment of defamatory speech : I will, next, propound the established law concerning assault and battery.

279. ' With whatever member a lowborn man shall assault or hurt a superiour, even that member of his must be slit, *or cut more or less in proportion to the injury :* this is an ordinance of MENU.

280. ' He, who raises his hand or a staff against another shall have his hand cut ; and he, who kicks another in wrath, shall have an incision made in his foot.

281. ' A man of the lowest class, who shall insolently place himself on the same seat with one of the highest, shall either be banished with a mark on his hinder parts, or the king shall cause a gash to be made on his buttock :

282. ' Should he spit on him through pride, the king shall order both of his lips to be gashed ; should he urine on him, his penis ; should he break wind against him, his anus.

283. ' If he seize the *Bráhmen* by the locks, or by the feet, or by the beard, or by the throat, or by the scrotum, let the king without hesitation cause incisions to be made in his hands.

284. ' If any man scratch the skin *of his equal in class,* or

fetch blood *from him*, he shall be fined a hundred *panas*; if he wound a muscle, six *nishcas*: but, if he break a bone, let him be instantly banished.

285. 'According to the use and value of all great trees, must a fine be set for injuring them: this is an established rule.

286. 'If a blow, attended with much pain, be given either to human creatures or cattle, the king shall inflict on the striker a punishment as heavy as the presumed suffering.

287. 'In all cases of hurting a limb, wounding, or fetching blood, the assailant shall pay the expence of a perfect cure; or, *on his failure*, both full damages and a fine to the same amount.

288. 'He, who injures the goods of another, whether acquainted or unacquainted with the owner of them, shall give satisfaction to the owner, and pay a fine to the king equal to the damage.

289. 'If injury be done to leather or to leathern bags, or to utensils made of wood or clay, the fine shall be five times their value.

290. 'The wise reckon ten occasions, in regard to a carriage, its driver, and its owner, on which the fine is remitted; on other occasions a fine is ordained by law:

291. 'The nosecord or bridle being cut, *by some accident without negligence*, or the yoke being snapped, on a sudden overturn, or running against any thing *without fault*, the axle being broken, or the wheel cracked;

292. 'On the breaking of the thongs, of the halter, or of the reins, and when the driver has called aloud to make way, *on these occasions* has Menu declared that no fine shall be set:

293. 'But, where a carriage has been overturned by the unskilfulness of the driver, there, in the case of any hurt, the master shall be fined two hundred *panas*.

294. 'If the driver be skilful, *but negligent*, the driver alone shall be fined ; and those in the carriage shall be fined each a hundred, if the driver be clearly unskilful.

295. 'Should a driver, being met in the way by another carriage or by cattle, kill any animal *by his negligence*, a fine shall, without doubt, be imposed *by the following rule :*

296. 'For killing a man, a fine, equal to that for theft, shall be instantly set ; half that amount, for large brute animals, as for a bull or cow, an elephant, a camel, or a horse ;

297. 'For killing very young cattle, the fine shall be two hundred *panas* ; and fifty, for elegant quadrupeds or beautiful birds, as *antelopes, parrots and the like* ;

298. 'For an ass, a goat, or a sheep, the fine must be five silver *ma'shas* ; and one *ma'sha*, for killing a dog or a boar.

299. 'A WIFE, a son, a servant, a pupil, and a *younger* whole brother, may be corrected, when they commit faults, with a rope or the small shoot of a cane ;

300. 'But on the back part only of their bodies, and not on a noble part by any means : he, who strikes them otherwise than by this rule, incurs the guilt, *or shall pay the fine*, of a thief.

301. 'This law of assault and battery has been completely declared : I proceed to declare the rule for the settled punishment of theft.

302. 'IN restraining thieves and robbers, let the king use extreme diligence ; since, by restraining thieves and robbers, his fame and his domain are increased.

303. 'Constantly, no doubt, is that king to be honoured, who bestows exemption from fear; since he performs, *as it were*, a perpetual sacrifice, giving exemption from fear as a constant sacrificial present.

304. 'A sixth part of *the reward for* virtuous deeds, performed by the whole people, belongs to the king, who protects them; but, if he protect them not, a sixth part of their iniquity lights on him.

305. 'Of *the reward for* what every subject reads in the *Vé'da*, for what he sacrifices, for what he gives in charity, for what he performs in worship, the king justly takes a sixth part in consequence of protection.

306. 'A king, who acts with justice in defending all creatures, and slays only those, who ought to be slain, performs, *as it were*, each day a sacrifice with a hundred thousand gifts;

307. 'But a king, who gives no such protection, yet receives taxes in kind or in value, market duties and tolls, the small daily presents for his household, and fines for offences, falls directly *on his death* to a region of horrour.

308. 'That king, who gives no protection, yet takes a sixth part of the grain as his revenue, wise men have considered as a prince, who draws to him the foulness of all his people.

309. 'Be it known, that a monarch, who pays no regard to the scriptures, who denies a future state, who acts with rapacity, who protects not his people, yet swallows up their possessions, will sink low indeed *after death*.

310. 'With great care and by three methods let him restrain the unjust; by imprisonment, by confinement in fetters, and by various kinds of corporal punishment;

311. 'Since, by restraining the bad, and by encouraging the good, kings are perpetually made pure, as the twiceborn are purified by sacrificing.

312. 'A KING, who seeks benefit to his own soul, must always forgive parties litigant, children, old men, and sick persons, who inveigh against him :

313. 'He, who forgives persons in pain, when they abuse him, shall on that account be exalted in heaven ; but he, who excuses them not, through the pride of dominion, shall for that reason sink into hell.

314. 'THE stealer *of gold from a priest* must run hastily to the king, with loosened hair, proclaiming the theft, *and adding:* "Thus have I sinned; punish me."

315. 'He must bear on his shoulder a pestle of stone, or a club of *c'hadira*-wood, or a javelin pointed at both ends, or an iron mace :

316. 'Whether the king strike him with it, or dismiss him unhurt, the thief is then absolved from the crime ; but the king, if he punish him not, shall incur the guilt of the thief.

317. 'The killer of a priest, *or destroyer of an embryo*, casts his guilt on the *willing* eater of his provisions ; an adulterous wife, on her *negligent* husband ; a bad scholar and sacrificer, on their *ignorant* preceptor ; and a thief, on the *forgiving* prince :

318. 'But men, who have committed offences, and have received from kings the punishment due to them, go pure to heaven, and become as clear as those, who have done well.

319. 'HE, who steals the rope or the waterpot from a well, and he, who breaks down a cistern, shall be fined a *másha* of

gold; and that, *which he has taken or injured*, he must restore to its former condition.

320. 'Corporal punishment shall be inflicted on him, who steals more than ten *cumbhas* of grain (a *cumbha* is twenty *dro'nas*, and a *dro'na*, two hundred *palas*): for less he must be fined eleven times as much, and shall pay to the owner the amount of his property.

321. 'So shall corporal punishment be inflicted for stealing commodities usually sold by weight, or more than a hundred head of cattle, or gold, or silver, or costly apparel:

322. 'For stealing more than fifty *pals*, it is enacted that a hand shall be amputated; for less, the king shall set a fine eleven times as much as the value.

323. 'For stealing men of high birth, and women above all, and the most precious gems, *as diamonds or rubies*, the thief deserves capital punishment.

324. 'For stealing large beasts, weapons, or medicines, let the king inflict *adequate* punishment, considering the time and the act.

325. 'For taking kine belonging to priests, and boring their nostrils, or for stealing their other cattle, the offender shall instantly lose half of one foot.

326. 'For stealing thread, raw cotton, materials to make spirituous liquor, cowdung, molasses, curds, milk, buttermilk, water or grass,

327. 'Large canes, baskets of canes, salt of every kind, earthenpots, clay or ashes,

328. 'Fish, birds, oil, or clarified butter, fleshmeat, honey, or any thing, *as leather, horn*, or *ivory*, that came from a beast,

329. ‘ Or other things not precious, or spirituous liquors, rice dressed with clarified butter, or other messes of boiled rice, the fine must be twice the value of the commodity stolen.

330. ‘ For stealing *as much as a man can carry* of flowers, green corn, shrubs, creepers, small trees, or other vegetables, enclosed by a hedge, the fine shall be five *racticas* of gold or silver ;

331. ‘ But for corn, potherbs, roots, and fruit, unenclosed by a fence, the fine is a hundred *panas,* if there be no sort of relation *between the taker and owner* ; or half a hundred, if there be such relation.

332. ‘ If the taking be violent, and in the sight of the owner, it is robbery ; if privately in his absence, it is only theft ; and *it is considered as theft,* when a man, having received any thing, refuses to give it back.

333. On him, who steals the beforementioned things, when they are prepared for use, let the king set the lowest amercement *of the three* ; and *the same* on him, who steals only fire from the temple.

334. ‘ With whatever limb a thief commits the offence by any means in this world, *as if he break a wall with his hand or his foot,* even that limb shall the king amputate, for the prevention of a similar crime.

335. ‘ Neither a father, nor a preceptor, nor a friend, nor a mother, nor a wife, nor a son, nor a domestick priest, must be left unpunished by the king, if they adhere not with firmness to their duty.

336. ‘ Where another man of lower birth would be fined

one *pana*, the king shall be fined a thousand, *and he shall give the fine to the priests, or cast it into the river* : this is a sacred rule.

337. ' But the fine of a *Sú'dra* for theft shall be eightfold ; that of a *Vaisya*, sixteenfold ; that of a *Cshatriya*, two and thirtyfold.

338. ' That of a *Bra'hmen*, four and sixtyfold, or a hundredfold complete, or even twice four and sixtyfold ; each of them knowing the nature of his offence.

339. ' The taking of roots, and fruit from a large tree, *in a field or a forest* unenclosed, or of wood for a sacrificial fire, or of grass to be eaten by cows, MENU has pronounced no theft.

340. ' A PRIEST who willingly receives any thing, either for sacrificing or for instructing, from the hand of a man, who had taken what the owner had not given, shall be *punished* even as the thief.

341. 'A twiceborn man, who is travelling, and whose provisions are scanty, shall not be fined, for taking only two sugar canes, or two esculent roots, from the field of another man.

342. ' He, who ties the unbound, or looses the bound, *cattle of another*, and he, who takes a slave, a horse, or a carriage *without permission*, shall be punished as for theft.

343. ' A king, who, by *enforcing* these laws, restrains men from committing theft, acquires in this world fame, and, in the next, beatitude.

344. ' LET not the king, who ardently desires a seat with INDRA, and wishes for glory, which nothing can change or diminish, endure for a moment the man, who has committed atrocious violence, as by robbery, arson, or homicide.

345. ' He, who commits great violence, must be considered as more grievous offender than a defamer, a thief, or a striker with a staff :

346. ' That king, who endures a man convicted of such atrocity, quickly goes to perdition and incurs publick hate.

347. ' Neither on account of friendship, nor for the sake of great lucre, shall the king dismiss the perpetrators of violent acts, who spread terrour among all creatures.

348. ' The twiceborn may take arms, when their duty is obstructed by force; and when, in some evil time, a disaster has befallen the twiceborn classes ;

349. ' And in their own defence ; and in war for just cause ; and in defence of a woman or a priest : he, who kills justly, commits no crime.

350. ' Let a man, without hesitation, slay another, *if he can not other-wise escape*, who assails him with intent to murder whether young or old, or his preceptor, or a *Bra'hmen* deeply versed in the scripture.

351. 'By killing an assassin, who attempts to kill, whether in publick or in private, no crime is committed by the slayer; fury recoils upon fury.

352. ' Men, who commit overt acts of adulterous inclinations for the wives of others, let the king banish from his realm, having punished them with such bodily marks, as excite aversion;

353. 'Since adultery causes, to the general ruin, a mixture of classes among men: thence arises violation of duties; and thence is the root of felicity quite destroyed.

354. 'A man, before noted for such an offence who converses in secret with the wife of another shall pay the first of the three usual amercements;

355. 'But a man, not before noted, who thus converses with her for some reasonable cause, shall pay no fine; since in him there is no transgression.

356. 'He, who talks with the wife of another man at a place of pilgrimage, in a forest or a grove, or at the confluence of rivers, incurs the guilt of an adulterous inclination:

357. 'To send her flowers or perfumes, to sport and jest with her, to touch her apparel and ornaments, to sit with her on the same couch, are all held adulterous acts on his part.

358. 'To touch a married woman on *her breasts or* any *other* place, which ought not to be touched, or, being touched unbecomingly by her, to bear it complacently, are adulterous acts with mutual assent.

359. 'A man of the servile class, who commits actual adultery with the wife of a priest, ought to suffer death: the wives, indeed, of all the four classes must ever be most especially guarded.

360. 'Mendicants, encomiasts, men prepared for a sacrifice, and *cooks and other* artisans, are not prohibited from speaking to married women.

361. 'Let no man converse, after he has been forbidden, with the wives of others; he, who thus converses, *after a husband or a father has* forbidden *him* shall pay a fine of one *suverna*.

362. 'These laws relate not to the wives of publick dancers

or singers, or of such base men, as live by intrigues of their wives ; men, who either carry women to others, or, lying concealed at home, permit them to hold a culpable intercourse :

363. ' Yet he who has a private connexion with such women, or with servant girls kept by one master, or with female anchorets *of an heretical religion* shall be compelled to pay a small fine.

364. ' He, who vitiates a damsel without her consent, shall suffer corporal punishment instantly ; but he, who enjoys a willing damsel, shall not be corporally punished, if his class be the same with hers.

365. ' From a girl, who makes advances to a man of a high class, let not the king take the smallest fine ; but her, who first addresses a low man, let him constrain to live in her house well guarded.

366. ' A low man, who makes love to a damsel of high birth, ought to be punished corporally ; but he, who addresses a maid of equal rank, shall give the nuptial present *and marry her*, if her father please.

367. ' Of the man, who through insolence forcibly contaminates a damsel, let the king instantly order two fingers to be amputated, and condemn him to pay a fine of six hundred *panas* :

368 ' A man of equal rank, who defiles a consenting damsel, shall not have his fingers amputated, but shall pay a fine of two hundred *panas*, to restrain him from a repetition of his offence.

369. ' A damsel, polluting another damsel, must be fined two hundred *panas*, pay the double value of her nuptial present, and receive ten lashes with a whip ;

370. 'But a woman, polluting a damsel, shall have her head instantly shaved, and two of her fingers chopped off; and shall ride, mounted on an ass *through the publick street.*

371. 'SHOULD a wife, proud of her family and the great qualities of her kinsmen, actually violate the duty, which she owes to her lord, let the king condemn her to be devoured by dogs in a place much frequented;

372. 'And let him place the adulterer on an iron bed well heated, under which the executioners shall throw logs continually, till the sinful wretch be there burned *to death.*

373. 'OF a man once convicted, and a year after guilty *of the same crime*, the fine must be doubled; *so it must*, if he be connected with the daughter of an outcast or with a *Cha'nda'li* woman.

374. 'A mechanick or servile man, having an adulterous connexion with a woman of a twiceborn class, whether guarded at home or unguarded, *shall thus be punished*: if she was unguarded, *he* shall lose the part *offending*, and his whole substance; if guarded, *and a priestess*, every thing, *even his life.*

375. '*For adultery with a guarded priestess*, a merchant shall forfeit all his wealth after imprisonment for a year; a soldier shall be fined a thousand *panas*, and be shaved with *the* urine *of an ass*;

376. 'But, if a merchant or soldier commit adultery with a woman of the sacerdotal class, whom her husband guards not at home, the king shall only fine the merchant five hundred, and the soldier a thousand:

377. 'Both of them, however, if they commit that offence with a priestess *not only* guarded *but eminent for good qualities*,

shall be punished like men of the servile class, or be burned in a fire of dry grass or reeds.

378. 'A *Brahmen*, who carnally knows a guarded woman without her free will, must be fined a thousand *panas*; but only five hundred if he knew her with her free consent.

379. 'Ignominious tonsure is ordained, instead of capital punishment, for an adulterer of the priestly class, where the punishment of other classes may extend to loss of life.

380. 'Never shall the king slay a *Bráhmen* though convicted of all possible crimes: let him banish the offender from his realm, but with all his property secure and his body unhurt:

381. 'No greater crime is known on earth than slaying a *Bráhmen*; and the king, therefore, must not even form in his mind an idea of killing a priest.

382. 'If a merchant converse criminally with a guarded woman of the military, or a soldier with one of the mercantile class, they both deserve the same punishment as in the case of a priestess unguarded:

383. 'But a *Bráhmen*, who shall commit adultery with a guarded woman of those two classes, must be fined a thousand *panas*; and, for the like offence with a guarded woman of the servile class, the fine of a soldier or a merchant shall be also one thousand.

384. 'For adultery with a woman of the military class, if unguarded, the fine of a merchant is five hundred; but a soldier, *for the converse of that offence*, must be shaved with urine, or pay the fine *just mentioned*.

385. 'A priest shall pay five hundred *panas*, if he connect himself criminally with an unguarded woman of the military, commercial, or servile class; and a thousand, *for such a connexion with* a woman of a vile *mixed* breed.

386. 'That king, in whose realm lives no thief, no adulterer, no defamer, no man guilty of atrocious violence, and no committer of assaults, attains the mansion of Sacra.

387. 'By suppressing those five in his dominion, he gains royalty paramount over men of the same kingly rank, and spreads his fame through the world.

388. 'The sacrificer, who forsakes the officiating priest, and the officiating priest, who abandons the sacrificer, each being able to do his work, and guilty of no grievous offence, must each be fined a hundred *panas*.

389. 'A mother, a father, a wife, and a son shall not be forsaken: he, who forsakes either of them, unless guilty of a deadly sin, shall pay six hundred *panas* as a fine to the king.

390. 'Let not a prince, who seeks the good of his own soul, *hastily and alone* pronounce the law, on a dispute concerning any legal observance, among twiceborn men in their several orders;

391. '*But* let him, after giving them due honour according to their merit, and, at first, having soothed them by mildness, apprise them of their duty with the assistance of *Bra'hmens*.

392. 'The priest, who, gives an entertainment to twenty men of the three first classes, without inviting his next neighbour, and his neighbour next but one, if both be worthy of an invitation, shall be fined one *ma'sha* of silver.

393. 'A *Bra'hmen*, of deep learning in the *Ve'da*, who invites

not another *Bra'hmen*, both learned and virtuous, to an entertainment *given on some occasion* relating to his wealth, *as the marriage of his child, and the like*, shall be made to pay him twice the value of the repast, and be fined a *ma'sha* of gold.

394. 'NEITHER a blind man, nor an idiot, nor a cripple, nor a man full seventy years old, nor who confers great benefits on priests of eminent learning, shall be compelled by any *king* to pay taxes.

395. 'Let the king always do honour to a learned theologian, to a man either sick or grieved, to a little child, to an aged or indigent man, to a man of exalted birth, and to a man of distinguished virtue.

396. 'LET a washerman wash *the* clothes *of his employers* by little and little, *or piece by piece, and not hastily*, on a smooth board of *Sa'lmali*-wood : let him never mix *the* clothes *of one person* with *the* clothes *of another*, nor suffer any *but the owner* to wear them.

397. LET a weaver, who has recived ten *palas* of cotton thread, give them back increased to eleven *by the rice-water and the like used in weaving* : he, who does otherwise, shall pay a fine of twelve *panas*.

398. 'As men versed in cases of tolls, and acquainted with all marketable commodities, shall establish the price of saleable things, let the king take a twentieth part of *the profit on sales at* that price.

399. 'Of the trader, who, through avarice, exports commodities, of which the king justly claims the preemption, or on which he has laid an embargo, let the sovereign confiscate the whole property.

400. 'Any seller or buyer, who *fraudulently* passes by the toll office at *night or* any *other* improper time, or who makes a false enumeration *of the articles bought*, shall be fined eight times as much as their value.

401. 'Let the king establish rules for the sale and purchase of all marketable things, having duly considered whence they come, *if imported* ; and, *if exported*, whither they must be sent ; how long they have been kept ; what may be gained by them ; and what has been expended on them.

402. 'Once in five nights, or at the close of every half month, *according to the nature of the commodities*, let the king make a regulation for market prices in the presence of those *experienced men* :

403. 'Let all weights and measures be well ascertained by him ; and once in six months let him re-examine them.

404. 'The toll at a ferry is one *pana* for an empty cart ; half a *pana* for a man with a load ; a quarter, for a beast used in agriculture, or for a woman ; and an eighth, for an unloaded man.

405. 'Waggons, filled with goods packed up, shall pay toll in proportion to their value ; but for empty vessels and bags, and for *poor* men ill-apparelled, a very small toll shall be demanded.

406. 'For a long passage, the freight must be proportioned to places and times ; but this must be understood of passages up and down rivers : at sea there can be no settled freight.

407. 'A woman, who has been two months pregnant, a religious beggar, a forester in the third order, and *Bráhmens*,

who are students in theology, shall not be obliged to pay toll for their passage.

408. 'Whatever shall be broken in a boat, by the fault of the boatmen, shall be made good by those men collectively, each paying his portion.

409. 'This rule, ordained for such as pass rivers in boats, relates to the culpable neglect of boatmen on the water : in the case of inevitable accident, there can be no damages recovered.

410. 'THE king should order each man of the mercantile class to practise trade, or moneylending, or agriculture and attendance on cattle ; and each man of the servile class to act in the service of the twiceborn.

411. 'Both him of the military, and him of the commercial class, if distressed for a livelihood, let some wealthy *Bra'hmen* support, obliging them without harshness to discharge their several duties.

412. 'A *Bra'hmen*, who, by his power and through avarice, shall cause twiceborn men, girt with the sacrificial thread, to perform servile acts, *such as washing his feet*, without their consent, shall be fined by the king six hundred *panas* ;

413. 'But a man of the servile class, whether bought or unbought, he may compel to perform servile duty ; because such a man was created by the Self-existent for the purpose of serving *Bra'hmens* :

414. A *Su'dra*, though emancipated by his master, is not released from a state of servitude ; for of a state, which is natural to him, by whom can he be divested ?

415. 'THERE are servants of seven sorts ; one made captive

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